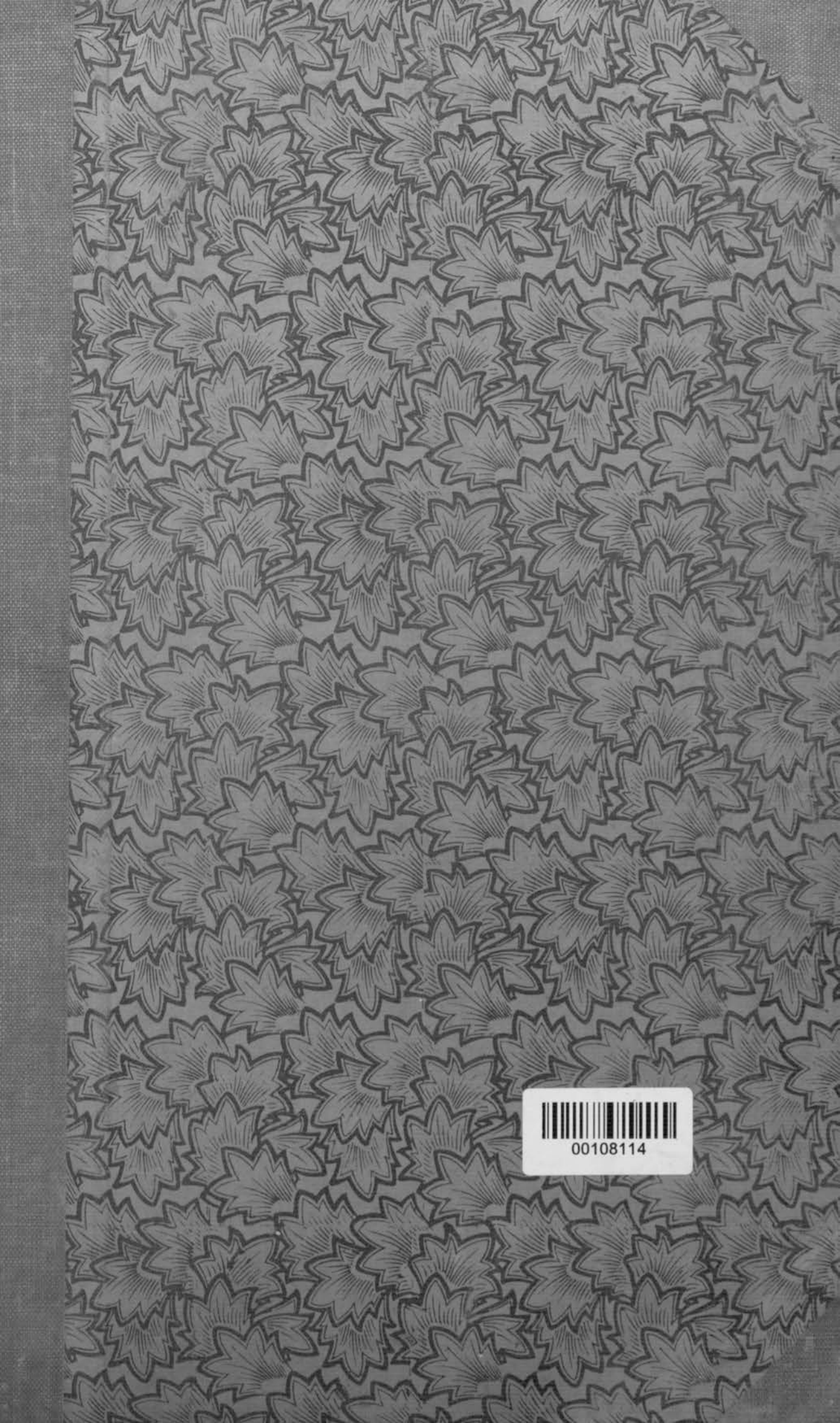
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THE ACTS

OF THE

PARLIAMENTS

OF

SCOTLAND.

VOL. X.

10814

A. D. M.DC.XCVI. — A. D. M.DCC.I.

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KING GEORGE THE FOURTH,

IN PURSUANCE OF AN ADDRESS

OF THE HOUSE OF COMMONS OF GREAT BRITAIN.

M.DCCC.XXIII.

RECORD COMMISSION

12th March 1831.

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January 1836.

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PREFACE TO THIS VOLUME.

THE following Volume embraces a continuation of the Acts of the Parliaments of Scotland during the reign of King William, from the year 1696, till His Majesty's demise in the year 1701. The same persons who had been originally convoked as a Meeting of the Estates of the Kingdom in 1689, were continued in their Legislative functions throughout the whole of that reign; and the Proceedings which this Volume contains, are distinguished as those of the Sixth, Seventh, Eighth, and Ninth Sessions of the First Parliament of King William.

The Record of those Proceedings in the Books of Parliament remains entire, and has been followed in this Volume, excepting in those errors of transcription which have been discovered by a careful collation of the Record with its original and authenticated Warrants.

In the Appendix to this Volume will be found the Minutes of the Proceedings of the several Sessions of Parliament during the period which it embraces, together with some of the Documents therein referred to. These have been taken from the authenticated Originals preserved in the General Register House.

In the year 1692 the Burghs Royal of Scotland adopted certain Measures, which had for their object to communicate to the Burghs of Regality and of Barony throughout the Kingdom, the benefit of their exclusive Privileges of Trade, upon the condition of being relieved of a tenth part of their usual proportion of Public Taxations. These Measures were approved of and confirmed by the Parliament of 1693, [V. Act. Parl. IX. 315.] as highly conducive to the general interests of the Kingdom; but in the adjustment of their minute details, many disputes and controversies were excited, which rendered the interference of Parliament again necessary; and in the Session of 1698, an Act was passed [V. Act. Parl. X. 176.] for settling the terms and conditions on which this Communication of Trade should be made to the several Burghs of Regality and of Barony, by a Commission to such persons of the three Estates as His Majesty should nominate for that purpose. Under this Commission of Parliament, a great many Proceedings were accordingly held, of which the Record has been preserved; and being calculated to throw some curious lights on the state of the Kingdom at that period, it has been thought fit to place these Proceedings in the Appendix to this Volume.

T. THOMSON.

April 1, 1823.

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OF THE

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AND OTHER

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REGIS GULIELMI.

Apud Edinburgh,

VIII DIE SEPTEMBRIS, A. D. M,DC,XCVI.

THE SIXTH SESSION of the FIRST PARLIAMENT of our most High and Dread Soveraign WILLIAM by the Grace of God King of SCOTLAND ENGLAND FRANCE and IRELAND Defender of the Faith Holden and Begun at Edinburgh upon the Eight day of September one thouſand. ſix hundred and nynety Six years, By His Grace John Earl of Tullibardine Viſcount of Glen-Almond, Lord Murray, and Principall Secretary of State for the Kingdom of Scotland His Majeſties High Commiſsioner for holding the same By vertue of a Commiſsion under his Majeſties Great Seal of this Kingdom with the speciall advice and conſent of the Eſtates of Parliament underwritten There being alſo preſent the ordinary Officers the Deputs of the Lord High Conſtable and Earle of Mariſhall Sr Robert Cheeſly Proveſt of Edinburgh, Mr Archbald Sinclair and Mr William Calderwood Sheriff Deputs of Edinburgh and Dempſter.

PATRICK LORD POLWARTH LORD HIGH CHANCELLOUR

ROLL of the Nobility Barrons & Burrowes preſent in Parliament

GREAT OFFICERS OF STATE

The Earle of Melvill Lord President of ꝑe Privy Counſel

The Duke of Queensberry Lord Privy Seal.

DUKES

MARQUESSES

EARLES

Earle of Argyle
Earle of Crauford
Earle of Mar
Earle of Mortoun
Earle of Glencairn
Earle of Eglintoun
Earle of Strathmore
Earle of Galloway
Earle of Lauderdale
Earle of Lothian
Earle of Lowdoun
Earle of Carnwath
Earle of Leven
Earle of Forfar
Earle of Kintore

VISCOUNTS

Viscount of Kenmuir

LORDS

Lord Saltoun
Lord Elphingstoun
Lord Roſs
Lord Blantyre
Lord Jedburgh
Lord Forreſter
Lord Bargany
Lord Belhaven
Lord Carmichaell
Lord Rollo
Lord Ruthven
Lord Rutherford
Lord Bellenden

LESSER OFFICERS OF STATE

Lord Secretary Ogilvy
Lord Advocat S^r Ja: Stewart
Lord Thesaurer Depute
Lord Juſtice Clerk.

COMMISSIONERS FOR SHYRES

Edinburgh
Sir Alexander Gilmour of Craigmillar
Sir John Clerk of Pennicook
Archbald Primroſe of Dalmeny

Haddingtoun
Sr Robert Sinclair of Stivenſtoun
Sr John Lauder of Fountainhall
William Morifon of Preſtoungrange
William Hepburn of Beenſtoun

Berwick
Sir Archbald Cockburn of Langtoun
Sr John Home of Blackader
Sr John Swintoun of that Ilk
George Baillie of Jerveswood

Roxburgh
Sir John Riddell of that Ilk
Sr William Douglas of Cavers
William Bennet younger of Grubbet
John Scott of Well

Selkirk
Sir Francis Scot of Thirleſtone
James Pringle of Torwoodlie

Peebles
Sir Archbald Murray of Blackbarrony
Alexander Murray of Halmyres

Lanerk
The Laird of Lamingtoun
Sr William Denholm of Weſtſhiells
James Hamilton of Aikenhead
Sir William Stewart of Caſtlemilk

Dumfreis
Alexander Johnſtoun of Elſhieſheels
William Crichtoun of Crafordſtoun

Wigtoun
Sir Andrew Agnew of Lochnaw
William McDowall of Garthland

Ayre
Mr Francis Montgomery of Giffin
The Laird of Rowallan
The Laird of Kilbirnie

Dunbrittain
Claud Hamilton of Barns

Bute
David Boyll of Kelburne

Renfrew
Sr John Maxwell of Pollock
John Caldwall of that Ilk

Stirling
Sir John Houſtoun of that ilk
Sir Alexander Monro of Bearcrofts

Linlithgow
Thomas Drummond of Riccartoun
Patrick Murray of Livingſtoun

Perth
Sir Coline Campbell of Aberruchell
Adam Drummond of Megginſh
The Laird of Balhouſsie
Robert Hay of Strowie

Kincairdin
Sir Thomas Burnet of Leyes
Alexander Arbuthnet of Knox

Aberdeen
James Moir of Stoniewood
Mr James Elphingſtoun of Logie

Inverneſs
The Laird of Grant
The Laird of Culloden

Nairn
George Brodie of Aſliſk

Cromarty

Argyle
Sir Coline Campbell of Ardkinglas
Sir John Campbell of Carrict

Fyfe
Sir William Anſtruther yor of that Ilk
Sir John Dempſter of Pitliver
Mr James Melvill of Hallhill
George Moncrief of Reedie

Forfar
The Laird of Dunn
James Scott of Logie
The Laird of Kinnaber
James Milne of Ballwyllo

Bamff
Sir James Abercrombie of Birkinboog
Alexander Duff of Braco

Stewartry of Kirkcudbright
Hugh M^cguffock of Ruſco
Patrick Dumbar of Machriemore

Sutherland
Sir Adam Gordon of Dalfolly

Caithnes
Patrick Murray of Pennyland

Elgine
The Laird of Brodie

Stewartry of Orknay
Sir William Craigie of Gairſey

Clackmannan

Roſs

Kinroſs

COMMISSIONERS FOR BURGHS

Edinburgh	Sir Robert Chieslie Alexander Thomſon
Perth	Robert Smith
Dundee	James Fletcher
Aberdeen	Robert Cruickſhank
Stirling	Patrick Thomson
Linlithgow	William Heggines

S[t] Andrews	James Smith
Glasgow	John Anderson
Ayre	John Muir
Haddingtoun	Alexander Edgar
Dysart	Alexander Swintoun
Kirkaldie	
Montrose	James Mudie
Coupar	Sir Archbald Muir
Anstruther Easter	Patrick Murray
Dumfreis	Robert Johnſtoun
Invernes	
Burntisland	Alexander Gedd
Inuerkeithing	James Spittell
Kinghorn	
Brichen	Francis Molieson
Irving	M[r] Alexander Cuningham
Jedburgh	Adam Ainſlie
Kirkcudbright	
Wigtoun	William Colteran
Dumfermling	
Pittenweim	George Smith
Selkirk	M[r] John Murray
Dunbrittain	M[r] James Smollet
Renfrew	
Dumbar	Robert Faa
Lanerk	Thomas Hamilton
Aberbrothock	Patrick Stevin
Elgine	James Stewart
Peebles	John Muir
Craill	George Moncrieff
Tayne	
Culroſs	M[r] William Areſkine
Bamff	Walter Stewart
Whitehorn	
Forfar	
Rothesay	Robert Stewart
Nairn	John Roſs
Forres	William Brody
Rutherglen	John Scott
Northberwick	Sir Thomas Stewart
Anstruther Weſter	M[r] Robert Cleilland
Cullen	Sir John Hamilton
Lauder	David Maitland
Kintore	Sir James Scougall
Annand	
Lochmaben	William Meinzies
Sanquhar	Sir Alexander Bruce
New Galloway	M[r] Hugh Dalrymple
Kilrenie	
Fortroſs	Daniel Simpſon
Dingwall	
Dornock	John Anderson
Queensferry	Sir William Hamilton
Inverary	Hugh Broun
Inverury	M[r] Robert fforbes
Week	M[r] Archbald Sinclair
Kirkwall	
Inverbervy	William Beattie
Stranrawer	Sir Patrick Murray

September 8, 1696.

PRAYERS said Rolls called

HIS Majesties Commiſsion to John Earle of Tullibardine to be his Majeſties High Commiſsioner to this Seſsione of Parliament read and ordained to be recorded in the Books of Parliament wherof the tenor followes

Commiſsion for the Earle of Tullibardine to be Kings Commiſsioner

GULIELMUS Dei gratia Magnæ Brittaniæ Franciæ et Hiberniæ Rex Fideiq; Defensor Omnibus probis Hominibus ſuis ad quos preſentes Literæ noſtræ pervenerint Salutem Quandoquidem Nos (magni momenti rationibus moti) Currentis Noſtri Parliamenti hujus antiqui Regni noſtri Scotiæ Comitia in Sexta sua Seſsione Edinburgi Octavo die Menſis Septembris proxime futuri conventura hactenus Statuimus Et quia ob rerum noſtrarum foris neceſsitatem dictæ parliamenti noſtri Seſsioni intereſse nequimus Ideoq; Commiſsionem noſtram et potestatem cuidam eminentiſsimi ordinis summæq; fiduciæ et præclaris animi dotibus imbuto Regiam noſtram perſonam et authoritatem in eadem representandi concedere decrevimus Cumq; satis compertam habeamus fidelitatem intaminatam egregias animi dotes et fidem eximiam fideliſsimi et dilectiſsimi noſtri consanguinei et conſiliarii Joannis Comitis de Tullibardine principalis Status Noſtri Secretarii pro dicto Regno Scotiæ cujus fides integerrima et inſignes animi dotes ad summæ illud fiduciæ munus rite obeundum ac pia et Regia noſtra propoſita propaganda tam in promovendo commodo et intereſse dicti noſtri antiqui regni et in Ecclesia et in Statu publico quam servitio noſtro ipſum usque quaq; idoneum et inſtructum reddant Noveritis igitur Nos Dediſse et Conceſsiſse perq; haſce noſtras patentes Literas Dare et Concedere predicto fideliſsimo et dilectiſsimo noſtro Consanguineo et Conſiliario Joanni Comiti de Tulliebardine sacram noſtram personam representandi et regali noſtra authoritate in prædict Sexta Seſsione Currentis Parliamenti noſtri dicti Regni et in re quavis alia ubicunq; de Eccleſia firmanda pace et politia dicti noſtri Regni conſervanda et excolenda et re noſtra propaganda et promovenda tractandum fuerit utendi Et in singulis et univerſis ejuſdem adminiſtrationibus tanquam Supremo noſtro Commiſsionario pleniſsimam et ampliſsimam noſtram poteſtatem et Commiſsionem Porro tenore presentium eundem Joannem Comitem de Tulliebardine cum Commiſsionarii noſtri titulo Regali noſtra authoritate Insignimus plenamq; ipſi tribuimus potestatem omnia et singula ad munus et imperium Commiſsionarij spectantia tam plene et libere quoad omnes effectus quam quilibet alius ejuſdem summi muneris et characteris (regnantibus quibuscunq; noſtrorum

serenissimorum decessorum) unquam fecerat seu de jure facere potuerat faciendi, agendi, peragendi, Quæquidem omnia et singula in dicta hac Commissione prosequenda ab ipso facienda Nos firma et rata habemus et habituri sumus, Omnibus et singulis insuper Status nostri officialibus, ijsq; qui nobis ab intimis Conciliis Judicibus, Legatis, et officiariis nostrarum in hoc regno Copiarum cæterisq; quibuscunq; subditis nostris dicti Regni stricte Mandamus et imperamus ut prædictum Joannem Comitem de Tulliebardine tanquam supremum nostrum Commissionarium sacram nostram personam representantem et Regalem nostram authoritatem gerentem agnoscant ipsiq; reverentiam et obsequium prebeant ad effectum et secundum normam in hac nostra Commissione prescriptum Quæquidem Commissio dict' octavo die mensis Septembris proxime sequen inclusive incipiet, et durante antedicta Sexta Parliamenti Sessione et in ultimum usq; ejusdem Sessionis diem etiam inclusive in vigore durabit Et deniq; Declaramus hanc nostram Commissionem absq; prejudicio fore dicto Joanni Comiti de Tulliebardine cuivis alio diplomati seu Commissioni de quocunq; alio munere nobis ipsi concredito sed eadem durante hac nostra Commissione ac etiam post ipsius Expirationem in pleno continuare vigore durante nostro beneplacito modo in singulis diplomatis et Commissionibus ipsi concessis content' In cujus rei testimonium Magnum Sigillum Nostrum cum Secreto etiam nostro Sigillo presentibus appendi precepimus Apud Castra nostra de Atre prope Aeth vicesimo octavo die mensis Julii anno domini Millesimo Sexcentesimo Nonagesimo Sexto et anno Regni nostri octavo Per Signaturam manu S. D. N. Regis supra Signatam

[Protestation for Precedency] THE Earle of Mar protested against the calling of all the Earles ranked befor him in the Rolls of Parliament

THE Earle of Mortoun protested against all those called before him except the Earle of Argyle in the Rolls of Parliament

THE Earle of Lothian protested against the Earle of Roxburgh and others [called] before him in the Rolls of Parliament

THE Lord Secretary Ogilvie in name of the Earle of Findlator protested against the Earle of Airlies being called befor him in the Rolls of Parliament

THE Earle of Levin protested against the Earle of Callendars being called befor him in the Rolls of Parliament

THE Lord Thesaurer Deput protested against the calling of Sir James Ogilvie as Lord Secretary in the Rolls of Parliament befor him.

THE Lord Polwarth Lord High Chancellour produced in presence of Parliament ane Commission granted by his Majestie under the Great Seal to him for that office which Commission being openly read was appointed to be recorded in the Books of Parliament wherof the tenor followes

Commission to the Lord Polwarth to be Lord High Chancellour

GULIELMUS Dei gratia magnæ Brittaniæ Franciæ et Hiberniæ Rex fideiq; defensor Omnibus probis Hominibus suis ad quos præsentes Literæ Nostræ pervenerint Salutem Quandoquidem Nos intelligentes quantum ministerii nostri commodo interfit summæ illud fiduciæ munus et officium Cancellarii nostri antiqui Regni nostri Scotiæ unico cuidam fidelitate intaminata integritate et eximiis animi dotibus imbuto committere Cumq; plurima habeamus testimonia tam de fidelitate quam preclaris animi dotibus fidelissimi et dilectissimi nostri Consanguinei et Conciliarii Patricii Domini Polwarth Quibus ad summi illius officii munera exacte obeunda et fungenda usquequaq; est idoneus Noveritis igitur nos Nominasse Constituisse et Ordinasse sicuti per hasce nostras patentes literas Nominamus Constituimus et Ordinamus eundem fidelissimum et dilectissimum nostrum Consanguineum et Consiliarium Patricium Dominum Polwarth (durante nostro beneplacito solummodo) supremum dicti antiqui Regni nostri Scotiæ Cancellarium et solum et principalem magni nostri Sigilli ejusdem Regni Custodem Damus pariter Concedimus et Disponimus illi (durante spacio antedicto) idem munus et officium cum universis honoribus dignitatibus precedentiis privilegiis feodis et pensione per quemlibet ex ejus in dicto officio antecessoribus potitis et gavisis sive quæ de lege et consuetudine eo juste spectare dignoscuntur Et speciatim cum plenaria potestate et privilegio precedendi in omnibus Parliamentis Ordinum Conventibus Curiis omnibusq; aliis Conventibus per nos Statutis et Statuendis quibus dictus noster supremus Cancellarius intererit (Excepto omnimodo Scaccario presente Thesaurario nostro principali) Omnibus pariter Subditis nostris Mandamus et imperamus ut memoratum Patricium Dominum Polwarth tanquam supremum nostrum antedicti Regni Cancellarium omni quo par est honore et respectu summo illi officio et munere debito agnoscant prosequantur et revereantur secretioris etiam Concilii nostri dicti Regni Dominos requirimus iisq; authoritatem tribuimus ut juramentum ejus de fideli administratione in dicto munere et officio exigant utq; itidem Juramenta fidelitatis et securitatis per nuperum Parliamenti actum Statuta Ipsum dicere et subscribere efficiant In cujus rei Testimonium presentibus Magnum Sigillum nostrum appendi precepimus Apud aulam nostram de Kensingtoun Secundo die mensis Maii anno domini Millesimo Sexcentesimo Nonagesimo Sexto Regniq; nostri anno octavo per Signaturam manu S. D. N. Regis supra signat'

THE Duke of Queensberry Lord Privy Seal produced in presence of Parliament ane Commiſsion granted by His Majeſtie under his Great Seal to him for that office which Commiſsion being openly read was appointed to be recorded in the Books of Parliament, wherof the tenor followes

Commiſsion to the Duke of Queeſberry to be Lord Privy Seal

GULIELMUS Dei gratia magnæ Brittaniæ Franciæ et Hiberniæ Rex fideiq, Defenſor Omnibus probis hominibus suis ad quos preſentes Literæ noſtræ pervenerint Salutem Noveritis Nos cum abunde satisfacti simus de fidelitate et preclaris animi dotibus fideliſsimi et prædilecti noſtri Conſanguinei et Conſiliarii Jacobi Ducis de Queensberry Quibus ad munus et officium Secreti noſtri Sigilli Cuſtodis antiqui regni noſtri Scotiæ fideliter obeundum apprime eſt imbutus Igitur Nominaſse Conſtituiſse et ordinaſse tenoreq, presentium Nominare Conſtituere et ordinare prefatum Jacobum Ducem de Queensberry (durante noſtro beneplacito ſolummodo) Secreti noſtri Sigilli dicti Regni Cuſtodem Dando Concedendo et Diſponendo (durante spatio antedicto) prædictum munus et officium cum omnibus privilegiis feodis proficuis et emolumentis per quoſvis Secreti noſtri Sigilli cuſtodes perprius gaviſis vel quæ per Leges et praxin ad idem juſte spectare dignoſcuntur Cum poteſtate dicto Jacobo Duci de Queenſberry antedicto officio utendi et exercendi tam plenarie et libere in omnibus respectibus quam idem per quoſvis ejus anteceſsorum poſseſsum et gaviſum fuerat seu poſsidere et gaudere poterint Et speciatim Deputatos pro dicto Sigillo cuſtodiendo Idemq, appendendo Conſtituendi ac Clericos dictoq, Sigillo Scribas pro quibus reſpondere tenebitur nominandi Et generaliter omnia alia et singula quæ ad privilegium et libertatem dicti officii pertinere dignoſcuntur exercendi firma etiam et ſtabilia omnia et quæcunq, per eum in munere et officio prædicto obeundo legittime prestanda tenemus In cujus rei Testimonium præſentibus Magnum Sigillum Noſtrum appendi precepimus Apud aulam noſtram de Breda vigeſimo quinto die menſis Maii anno domini Milleſimo Sexcenteſimo nonageſimo Sexto Regniq, noſtri anno octavo per Signaturam manu S. D. N. Regis supra signat'. Written to the Great Seal and Regiſtrat the twenty Seventh day of July 1696. Sic Subſcribitur Charles Kerr Sealled at Edinburgh the twenty Seventh day of July 1696 Sic ſubſcribitur A Home

SIR James Ogilvie one of the two Secretaries of State produced in presence of Parliament ane Commiſsion granted by his Majeſtie under his Great Seal of the said office which Commiſsion being openly read was appointed to be recorded in the Books of Parliament wherof the tenor followes

Commiſsion to Sir James Ogilvie to be one of the Principall Secretaries of State

GULIELMUS Dei gratia magnæ Brittaniæ Franciæ et Hiberniæ Rex fideiq, defenſor Omnibus probis hominibus ad quos preſentes Literæ noſtræ pervenerint Salutem Quandoquidem cum ex serena noſtra et seria animadverſione proſpiceremus nihil magis in miniſterii noſtri et Regnorum noſtrorum commodum conducere poſse quam ut probatæ integritatis et fidelitatis viri præclaris animi dotibus imbuti principales coronæ noſtræ miniſtri speciatim vero Status noſtri Secretarii conſtituantur Quibus specialem habere poterimus fidem tum quoad authoritatem noſtram tum ſubditorum noſtrorum commodum Nosq, etiam abunde satiffacti de fidelitate præclaris animi dotibus aliiſq, perpulchris facultatibus fidelis et dilecti noſtri Domini Jacobi Ogilvie filii Comitis de Finlator Quibus ad munus et officium unius ex principalibus Status noſtri Secretariis pro antiquo noſtro Scotiæ Regno obeundum et excercendum satis ample eſt imbutus et uſquequaq, inſtructus Ob predictas itaq, et multas alias magni momenti res et rationes Novertis Nos Nominaſse Conſtituiſse et ordinaſse sicuti per preſentes has noſtras Literas Nominamus Conſtituimus et ordinamus eundem Dominum Jacobum Ogilvie unum ex duobus Status Secretariis Nobis pro dicto antiquo Regno (durante noſtro beneplacito et quoad preſentes Scripto non revocentur) principalem et conjunctim cum fideliſsimo et delectiſsimo noſtro Conſanguineo et Conſiliario Joanne Domino Murray altero pro dicto Regno Status Secretario Atq, Damus et Concedimus ipſi dicto Domino Jacobo Ogilvie (durante Spatio ſupra expreſso) locum officium et munus unius ex duobus principalibus conjunctis Status Secretariis cum juſto et equali dimidio omnium honorariorum emolumentorum beneficiorum et premiorum caſualium libertatum dignitatum et immunitatum quæ ad dictum locum munus et officium perprius pertinebant ſeu pertinere poterant Una cum annua penſione Mille Librarum Sterlinarum secundum Donationem ejuſdem per nos ipſi conceſsam datam cum preſentibus Cum plena poteſtate illi utendi excercendi et fruendi dicto munere et officio Et specialiter scribendi subſcribendi et nobis offerendi omnes donationes cautiones et signaturas quaſcunq, Regali noſtra manu muniendas et Interponendi et Recipiendi juſtum et equale dimidium omnium honorariorum premiorum caſualium et emolumentorum eo pertinen. atq, etiam equalem habendi poteſtatem et privilegium cum dicto Joanne Domino Murray (altero noſtro Status Secretario pro dicto Regno) recipiendi interponendi et conſervandi omnia Signeta dicti Noſtri Regni et impendendi equale beneficiorum et emolumentorum inde provenientium dimidium In privatos ſuos uſus et commodum Atq, etiam poteſtatem conſtituendi deputatos et cuſtodes dictorum Noſtrorum Signetorum et intromiſsendi et adſciſcendi omnes Clericos et a ſigneto noſtro Scribas cum omnibus Clericis vicecomitatuum et Clericis ad pacem in dicto Regno et eo nomine tribuendi ipſis Commiſsiones quibus muniti fungi poſsent et frui iis muneribus predict' Clerici ad vitam idq, quoties contigerit

dicta munia quocunq, caſu eſse vacua et recipiendi compoſitionum et commodorum dimidium ex admiſsione predict[a] Clericorum provenientium ac ea ad privatos accomodandi uſus In cujus rei Teſtimonium Preſentibus Magnum Sigillum Noſtrum appendi Precepimus Apud aulam Noſtram de Kenſington Quinto die menſis Februarii anno domini Milleſimo ſexcenteſimo nonageſimo ſexto Regniq, noſtri anno Septimo. Per Signaturam Manu S. D. N. Regis ſupra ſignatam Written on the back thus. Written to þe great ſeal and Reġrat the twenty fourth day of Februar 1696 Sic ſubſcribitur Charles Kerr Sealed at Edinburgh the twenty fourth day of Februarie 1696 Sic ſub[r] Jo: Dickſon.

THE Commiſsion granted by His Majeſtie to Charles Earle of Selkirk for the office of Clerk Regiſter was read and ordained to be Recorded in the Books of Parliament wherof the tenor followes

The Earle of Selkirks Commiſsion to be Lord Regiſter

GULIELMUS Dei gratia Magnæ Brittaniæ Franciæ et Hiberniæ Rex fideiq, Defenſor Omnibus probis Hominibus ad quos preſentes Literæ noſtræ pervenerint Salutem Quandoquidem nobis abunde Satiſfactum ſit tam de fidelitate et preclaris animi dotibus quam de sincera Integritate fideliſsimi et dilectiſsimi noſtri Conſanguinei et Conſiliarii Caroli Comitis de Selkirk speciatim vero quoad munus et officium Regiſtrorum et Rotulorum noſtrorum Clerici in antiquo Regno noſtro Scotiæ obeundum apprime eſt Inſtructus Noveritis igitur nos Nominaſse Conſtituiſse et ordinaſse sicuti tenore preſentium Nominamus Conſtituimus et ordinamus dictum Carolum Comitem de Selkirk (durante noſtro beneplacito ſolummodo) nostrorum Regiſtrorum Rotulorum noſtri Concilii Seſsionis et Scaccarii, nec non omnium Commiſsionum Parliamentorum et ordinum Conventuum in dicto noſtro Regno Clericum Dando et Concedendo illi idem munus et officium durante Spatio antedicto cum omnibus Honoribus Dignitatibus privilegiis proficuſis immunitatibus et caſualitatibus quibuſcunq, eo spectantibus vel quæ de Jure et praxi dicti noſtri Regni spectare dignoſcentur Cum plena et abſoluta poteſtate et authoritate illi (durañ noſtro beneplacito ut dictum eſt) Eligendi et Conſtituendi Clericos Subſtitutos vel deputatos unum seu plures in dictis officiis seu quavis ejuſdem parte idq, ad vitam talium Subſtitutorum seu deputatorum qui eorum officiis cum omnibus eorundem Emolumentis durañ omnibus eorum vitæ diebus reẍive potientur Ordinamus deniq, et authoritatem ipſi Tribuimus Omnia et Singula facere et preſtare de Lege et praxi hujus noſtri Regni dicto officio competentia vel perprius a quovis alio in dicto officio preſtita In cujus rei Testimonium presentibus Magnum Sigillum noſtrum appendi precepimus Apud aulam noſtram de Kenſingtoun Trigeſimo die menſis Januarii anno Domini milleſimo Sexcenteſimo nonageſimo Sexto Regniq, noſtri anno Septimo Per Signaturam Manu S. D. N. Regis ſupraſignatam Written to the Great Seall and Reġrat the Sixth day of February 1696 Sic subſcribitur Dun: Ronald dep[t] Sealed at Edinburgh the Sixth day of February 1696 Sic subſcribitur Jo: Dickſon.

A LETTER from the King to his Majesties High Commiſsioner read Appointing Sir James Ogilvie one of the two principall Secretaries of State to sit and vote in this Seſsion of Parliament as Lord Secretary, wherof the tenor followes.

Sic ſuprascribitur WILLIAM R.

The Kings Lettes nameing Sir James Ogilvie to sit and vote as Lord Secretary in this Seſsion of Parliament

RIGHT trusty and intirely beloved Couſine and Counsellour we greet yow well. Wheras We have ordered our Right Truſty and familiar Counſellour Sir James Ogilvie one of our Secretaries of State for that our Kingdome to repair thither, and to be preſent at the Enſuing Seſsione of our Parliament And whereas it belongs only to one of the two Secretaries indefinitely to have place and vote in Parliament as ane Officer of State Therfor we do Nominat and Appoint the said Sir James Ogilvie our Secretary to have place and vote and in every thing to act in the enſueing Seſsion of Parliament as the Secretary Officer of State to whom We will have the saids priviledges belong pro hac vice allenarly So We Bid yow heartily farewell. Given at our Camp at Atre near Aeth the 28th day of July 1696 And of our Reigne the 8th year. By his Mäties Command Sic Subſcribitur Ro: Pringle. This Letter is direct on the Back thus To Our Right truſty & entirely beloved Couſin & Counſellor John Earle of Tullibardin our Commiſsioner to the Parliam[t]

[The Oath of Allegeance &c. taken]

THE Lord Chancellour, the Lord Privy Seal, the Earle of Mar, the Earle of Lauderdale, the Earle of Loudoun, the Lord Bellenden, the Lord Secretary Ogilvie, the Laird of Dalmeny Commiſsioner elected for the Shyre of Mid Lothian, Sir Robert Chiefly Commiſsioner elected for the City of Edinburgh, Patrick Thomſon Commiſsioner elected for the Burgh of Stirling, and Alexander Edgar Commiſsioner elected for the Burgh of Haddingtoun Took the oath of alleadgeance and Signed the same with the aſsurance, and took the oath of Parliament, And therafter took their places

[The Kings Commiſsioner & the Lord Chancellours Speeches]

THE Kings High Commiſsioner, & then the Lord Chancellour made their Speeches to the Parliam[t]

ORDERED that His Grace the Commiſsioners Speech and the Lord Chancellours be printed.

[Orders of the House read]

THE Orders of the houſe read, appointed to be printed and affixed on the usuall places.

THE Marques of Tweeddale, the Earle of Errol, the Earle of Findlator, the Viscount of Tarbat, Excuſed by his Grace his Majeſties Commiſsioner in reſpect of their indiſpoſitions.

THE Earle of Selkirk excuſed by his Grace the Commiſsioner, in reſpect of his neceſsary absence in attending his Majeſties perſon

[Minutes to be revised] THE Lord Secretary Ogilvie, and the Lord Advocat, appointed to Reviſe the minuts of this Seſsion of Parliament

THE Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till Thursday nixt at ten of the clock in the forenoon.

SEPTEMBER.X, M,DC,XCVI.

PRAYERS said Rolls called

SIR William Stewart of Caſtlemilk Commiſsioner elected for the Shyre of Lanerk in place of the Laird of Lee deceaſed, Took the oath of alleadgeance, Subſcribed the same with the aſsurance, and took the oath of Parliament.

THE Earle of Sutherland, Sir Thomas Kilpatrick of Cloſburn, Sir John Monro of Foulis, Major Buntine of Kilbride, the Laird of Craigtoun Excuſed by His Grace His Majeſties Commiſsioner, in respect of their indiſpoſition. As also some others Excuſed for this dayes abſence.

MINUTES of the laſt Sederunt read

[Committees chosen] ORDERED that the severall Estates of Parliament proceed to elect the Committies following viz. The Committee for the Security of the Kingdom to conſiſt of nine of each ſtate, That for the Committee of trade, to conſiſt of Sevin of each State, And that for Contraverted elections, of five.

THE three Eſtates having Separated to their uſuall places returned and Reported their reſpective Elections and the Liſt of the Committees are as followes FOR the Security of the Kingdom, Of the State of the Nobility the Earle of Melvill Lord Preſident of ye Counſell the Earle of Argyle, the Earle of Mar the Earle of Mortoun, the Earle of Glencairn the Earle of Lothian, the Earle of Loudoun the Earle of Levin the Lord Belhaven. Of the Commiſsioners for Shyres the Laird of Lamingtoun Mr Francis Montgomery of Giffin Sir John Maxwell of Pollock Sir John Houſtoun of that ilk the Laird of Megginth, the Laird of Balhouſie the Laird of Grant the Laird of Colloden the Laird of Brodie Of the Commiſsioners for Burghs Sir Robert Chiefly, Robert Cruikſhanks William Heggins, Sir Archbald Muir, Mr Alexander Cuninghame William Brodie, Mr James Scougall, William Meinzies Sir William Hamilton FOR Trade, Of the Nobility the Earle of Crauford the Earle of Lauderdale, the Earle of Carnwath, the Earle of Kintore, the Lord Roſs the Lord Carmichael the Lord Ruthven. Of the Commiſsioners for Shyres Sir John Home of Blackader Sir John Swintoun of that ilk Sir William Denholme of Weſtſhiells the Laird of Rowallan the Laird of Ridie, Alexander Duff of Braco, Adam Gordone of Dalfolly Of the Commiſsioners for Burghs Patrick Thomson John Anderſon, John Muir, James Moodie Mr James Smollet Mr William Erſkine Hugh Broun FOR Contraverted Elections Of the Nobility the Earle of Argyle, the Earl of Levin the Lord Forreſter the Lord Belhaven the Lord Bellenden. Of the Commiſsioners for Shyres the Laird of Beinſtoun the Laird of Torwoodlie the Laird of Riccartoun the Laird of Livingſtoun the Laird of Aſliſk Of the Commiſsioners for Burghs James Smith Alexander Swintoun Mr Robert Cleland, Robert Johnſtoun Robert Faa.

THE Kings Letter to the Parliament preſented by My Lord Commiſsioner his Grace was read Wherof the tenor followes.

Sic ſupraſcribitur WILLIAM R.

My Lords and Gentlemen

The Kings Letter to the Parliament

THE continuance of the warr obliging us to call yow togither at this time for your own Safety and Security als well as for our Service, and hindering us to be preſent in perſon, We have appointed our Right truſtie and right well beloved Couſin and Counſellour John Earle of Tulliebardin to be our Commiſsioner for repreſenting our person and authority in this Seſsion of Parliament. The knowledge We have of his Capacity as well as of his zealous affection and firm fidelity to our perſon and government will certainly render him acceptable. We have fully inſtructed him in all that may concern the good and wellfare of that our ancient Kingdome and the intereſt of our Service And therfor yow are to give him entire truſt and credit, He is to aſk nothing of yow in our name but what your own Safety makes neceſsary

THE delivery that God Almighty lately gave us from that imminent danger to which both our perſon and Kingdomes were expoſed by the crafty and bloody deſignes of our Enemies is freſh in your remembrance, and calls for our joint care & providence for the future

THE Supplys granted in the laſt Seſsions of Parliament are now almoſt expired, and yow alſo know how much the fonds therto appointed are sunk below expectation

THE continueing of the forces the buying of arms and ammunition the repairing of forts and gariſons, and the proviſions for your frigots being all for your own defence, with the other charges and contingencies of the government will readily perſwade yow to give what is needfull for thoſe ends, and that in the moſt effectual and eaſie manner.

RECRUITS during the warr muſt alſo be had, which we hope yow will provide in ſuch wayes as may beſt prevent abuſes.

WE have empowered our Commiſsioner to give our Royall aſsent to such Laws as shall be judged neceſsary for the better Secureing to our Subjects their rights and properties.

IT hath been and ſhall be our Royall care to preſerve yow in peace and ſafety and to promove your wellfare and prosperity. And therfor we expect yow will treat and conclude all matters with that prudence calmneſs and concord as will be moſt to our ſatiſfaction and no leſs to your own honor and advantage And so We bid yow heartily farewell Given at our Court at Loo the 28th Auguſt 1696 and of our Reigne the 8th year By his Majeſties Command Sic ſubſcribitur Ja: Ogilvie This Letter is Directed on the Back thus To the Lords Temporall and the Commiſsioners for Shires and Burroughs of our ancient Kingdom of Scotland presently aſsembled in Parliament

[Committee to answer the Kings Letter] ORDERED that a Committee be appointed of one of each State for drawing of ane anſwer to the Kings Letter And the Estates haveing Separated Returned their elections For the nobility the Earle of Lothian Of the Commiſsioners for Shyres the Laird of Grant Of the Commiſsioners for Burrows Sir William Hamilton.

HIS Majeſtie having taken notice in his Letter of the Delivery given by God Almighty, from the late Wicked and Cruel Conſpiracie againſt His Majeſties Perſon and Kingdomes, the Lord Chancellour moved that the Aſsociation in the forme appointed and publiſhed by the Lords of his Majeſties Privy Councill may be immediatly ſubſcrived by all the members of Parliament and sent to the King, with the Parliaments anſwer to His Majeſties Letter Which was unanimouſly and cheerfully agreed to: And after Reading of the Aſsociation the same was Subſcrived by the members of Parliament of which Aſsociation the tenor followes

The Aſsociation

WE the Noblemen and Commiſsioners for Shyres and Burroughs presently aſsembled in Parliament under subſcriveing Considering that there has been a horrid and deteſtable Conſpiracie formed and carried on by Papiſts and other wicked and traterous perſons for aſsacinateing his Majeſties Sacred perſon in order to uſher in and facilitat a formidable and cruel Invaſion from France to the Ruine and Extirpatione of our Religion Laws and Liberties Doe therfore heartily sincerly and solemnly Profeſs Teſtifie and Declare That his preſent Majeſtie King William is Rightfull and Lawfull King of this Realm And We do mutually promiſe and solemnly engadge and oblidge ourselves to Stand by and aſsiſt one another to the outmoſt of our power in the Support and defence of His Majeſties moſt Sacred perſon and government and of the true proteſtant Religion againſt the late King James and the Pretended Prince of Scotland commonly called The Pretended Prince of Wales and all their adherents and againſt all forraigne Invaſions or inteſtine Inſurrections that ſhall be attempted or made to diſturb his Majeſties right & poſseſsion And in caſe His Majeſtie come to any violent or untimely Death (which God of his infinite mercy avert) We do hereby furder freely and unanimouſly oblidge ourſelves to unite aſsociat and stand by each other in Revengeing the same upon all his Mäties enemies and their adherents and in Supporting and defending the Succeſsion of the Crown according to the Declarations of the Eſtates of this Kingdom Sic subscribitur Polwarth Cancellar. Melvill P. C. Queenſberrie L. P. S. Argyll Crafurd Mar Mortoun Glencairn Lothian Strathmore Lauderdale Loudoun Carnwath Eglintoun Galloway Forfar Leven Kintore Kenmuir Bargany Belhaven Elphinſtoun Rollo Roſse Carmichael Ruthven Jedburgh Blantyre Forreſter Rutherford Bellendene. Raith Theſ dep Ja: Ogilvie Secretar. Ja: Steuart adv: Reg: Al: Gilmour John Clerk A Primroſe John Home Ar: Cockburn Crafurd of Kilbirnie Wil: Hepburn W Baillie of Lamingtoun W Denham Ro: Sinclair W Moriſon John Swintoun Jo Dempſter W Anſtruther Will. Stewart F. Montgomery J. Houſtoun D Areſkine of Dun Wm M'dowall J Riddell Ja: Moire D Forbes Al Monro Boyle of Kelburne Will: Muir of Rowallan Thomas Drummond A Drummond Jo: Cauldwell of that ilk Geo: Brodie J Pringle James Scot Patrick Alexr Arbuthnet Roſ Hay Ar Murray Jo Maxwell Ja Abercroſnby G Moncrief Wm Douglas Lodovick Grant Ad. Gordon John Scott Will. Crichtoun Thomas Hay Francis Scott A Brodie Joñ Fullerton Ja: Melvill Ja Elphingſton of Logie Jo Lauder S T Burnet Cl: Hamiltone with my hand Ja Hamilton A Duff Will: Craigie Pat Murray Jo: Campbell Carrict

Al. Murray Alexr Johnſtoun Andrew Agnew W Bennet Ro: Chieſly Ld: P. Ed: Rot Forbes Jo: Anderſon Alexr Thomſon John Moor Will: Brodie Robert Cruikſhank J Murray Will: Hamilton Patrick Thomſon Al: Stuyntone Ard: Mure Robert Johnſtoun T. Hamilton A Edgar Alexr Cuninghame Wm Meinzies Wil: Areſkine Pat: Dunbar Ar: Sinclair Robt Cleilland James Smith J Mudie Will: Higgins Ja: Smollet Da Maitland Will Coltrane Robert Smith Francis Moliſon Robert Faa Jo: Scott John Mure Al Bruce H Mc-Guffock Jon Anderſon Sr Ja: Scougall Hew Dalrymple D Simſon Robert Stewart Hugh Broun Ad Ainſlie Wa Stewart A Gede Campbell of Ardkinleſs Ja Fletcher Ja Spittle Saltoune Patrick Murray Jo Roſe J Hamiltone Pat: Murray Tho: Stewart Ad Cockburn Geo: Baillie C Campbell William Bettie Geo: Smyth Geo: Moncrieff James Stewart

Diſpenſation to the Juſtice Court to sitt

DISPENSATION granted to the Juſtice Court to sitt notwithſtanding of the sitting of the Parliament

Warrand to the Burgh of Cullen to chooſe a Commiſsioner

A WARRAND granted to the Burgh of Cullen for Electing a Commiſsioner in the place of Sir James Ogilvie, appointed by His Majeſtie to have place and vote in Parliament as Secretary of State

ORDERED that the Kings Letter to the Parliament be printed

THE Committees appointed to meet to morrow at nine of the cloak in the uſuall places

THEN the Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till Saturday, at ten of the cloak in the forenone.

SEPTEMBER XII, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the last Sederunt read.

THE Earle of Strathmore took the oath of alleadgeance and Subscrived the same with the aſsurance, and took the oath of Parliament.

COMMISSION be the Earle of Selkirk Lord Regiſter to Mr Alexander Gibſon one of the Deput Clerks of Parliament to present signe and officiat for him dureing his absence this Seſsion of Parliamt Presented and ordered to be recorded in the Books of Parliament Wherof the tenor followes.

Commiſsion be the Clerk Regiſter to Mr Alexander Gibſon

WE Charles Earle of Selkirk &c. Clerk to his Majeſties Counſell Regiſters and Rolls Forasmuch as I am detained here in Flanders by His Majeſties order to attend his perſon so that I cannot be perſonally preſent to Serve in the enſueing Seſsion of this current Parliament and to the effect that His Majeſtie and His Leidges may be Served with one to Supply me in receiveing Proteſtations preſenting and Signeing of Papers and doing other Service in Parliament Therfor I have nominated appointed and Commiſsionat and by thir preſents Nominats appoints and Commiſsionats Mr Alexander Gibſon ane of my Deput Clerks in Parliament in my vice and place dureing my abſence in this enſueing Seſsion of Parliament to receive Proteſtations preſent and ſigne papers and to do all other things neceſsar in the said Seſsion of Parliament as I might do myſelf if I were perſonally preſent therin The which to do I Commit to the said Mr Alexander Gibſon my full Warrand & Commiſsion by theſe preſents Consenting to the Regiſtration hereof in the Books of Parliament therin to remain for Conſervation And therto Conſtitutes my proxs &c. In Witneſs wherof (written be Alexander Baird servitor to Mr Robert Pringle Secretarie depput for Scotland) I have Subſcrived thir preſents at his Majeſties Court at Loo the twenty Seventh day of Auguſt Imo vjc and ninty ſix years befor theſe Witneſses Mr William Carſtairs chaplaine to his Majeſtie and the ſaid Mr Robert Pringle inſerter of the Date and Witneſses Sic ſubſcribitur Selkirk Cl: Regr W Carſtaires witneſse Ro: Pringle witneſs.

SIR Alexander Mckenzie of Coull one of ye Commiſsioners for the ſhire of Roſs & John Cuthbert of Draikies Commiſsioner for the Burgh of Inverneſs Excuſed by his Grace His Mäties Commiſsioner becauſe of their preſent indiſpoſition

THE Laird of Gairſey Commiſsioner choſen for Orknay took the oath of alleadgeance Subſcrived the same with the aſsurance and took the oath of Parliament.

[Supplies to the King]

REPORT brought in from the Committee for Security of the Kingdom Bearing that ſufficient ſupplies be granted to His Mätie for mentaining ye ſtanding forces repairing of the forts and gariſons provideing of arms and amunition and paying the Frigats and Cruiſers the annexed Exciſe being included in the fond for theſe ends and uſes, Read, voted and approven in Parliament, nemine contradicente

ANOTHER Report brought in from the ſaid Committie finding that fourteen Hundred and fourtie Thouſand pounds be raiſed for a year for the ends and uſes forſaids and that the funds be ſetled for makeing the ſame effectuall, includeing the annexed Exciſe as ſaid is Read voted and approven in Parliament, alſo nemine contradicente

[Anent the Security of the Kingdom]

A MOTION being made that conſidering the Danger this Kingdom was in by the late intended wicked and cruel Conſpiracie againſt his Majeſties perſon and Kingdom, ane act ſhould be brought in for Securitie therof It was Remitted to the forſaid Committee to bring in ane act for Secureing our religion Lives and propertie in caſe (as God forbid) His Majeſtie ſhould come to any untimely Death.

[Sir David Cuningham of Robertland]

PETITION Sir David Cuninghame of Robertland againſt Corſhill and his Creditors ordained to be seen and anſwered againſt Thurſday nixt.

[Overtures of various Acts remitted to Committees &c.]

AN overture for the better Sheilling and Prepareing of Barley Remitted to the Committee for trade.

OVERTURE for ane act Regulateing the former Lawes to Deeds done on death bed, Read and remitted to the Committee for Security of the Kingdome. Overtures for severall other acts for Clearing and Secureing privat rights alſo remitted to the said Committee viz. Act that tutors nominat may be Exeemed by the Teſtator from the Hazard of Ommiſsions. Act allowing Securities and decreits to be written Book wayes. Act for farther Clearing the Regiſtration of Saſines and other Heretable Securities. Act Regulateing the preſcription of tutors and Curators accompts. Act for keeping Regiſters of baptiſms and burialls. Act for the better provideing of the poor. Act for regulating of aliments. Act againſt Clipping of money. Act againſt mixeing ſalt in ale. Act for proviſion of younger Children out of the heretable eſtate by the father tho on death bed. Act for the farther regulateing of the ſale of Bankrupts Lands. Act defineing nottour Bankrupt. Act that the Jus mariti may be qualified and limited per pacta nuptialia. Act that seven years abſence out of the Kingdom unheard of preſume death unleſs the perſon be proven to be alive. Act concerning the Delivery of the Writts of Bankrupts eſtates Sōld by roup. Act for the ſale by roup of parcells of Eſtates for clearing of Incumbrancies. Act for repareing the high wayes and filling up of coall pitts. Act againſt the Subſcriveing of blank Writts. Act concerning proceſs of Divorce.

MOVED that the Committee for Security of the Kingdome reconſider the act made the laſt Seſsion of Parliament againſt the fraud of Appearand airs which was agreed to

ACT for encourageing of fiſhing, with ane act for Reſtraineing gunners and fowlers from ſpoiling of the game, remitted to the Committee for trade

THE Committees appointed to meet upon Munday nixt at nine a clock in the forenoone

THE Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Tueſday nixt at ten a clock in the forenoon.

SEPTEMBER XV, M,DC,XCVI.

PRAYERS said Rolls called

WILLIAM Spittell of Luchat Commiſsioner choſen for the Burgh of Inuerkeithing, and Patrick Murray of Dollary Commiſsioner choſen for the Burgh of Eaſter Anſtruther took the oath of alleadgeance Subſcrived the ſame with the aſsurance and took the oath of Parliament

PATRICK Wallace Commiſsioner for Kinghorn Excuſed by his Grace His Majeſties Commiſsioner, becauſe of his indiſpoſition

Warrand for a new election of a Commiſsioner for the Shire of Murray

AT EDINBURGH the fifteen day of September 1690 vjc and ninty ſix years His Majeſties High Commiſsioner and the Eſtates of Parliament Grants Warrand to the Sheriff and freeholders of the Shyre of Murray to Elect a Commiſsioner to the Parliament in place of the deceiſt Laird of Grange. And for that effect ordaines them to meet at Elgine the firſt Tueſday of December nixt.

MINUTS of the laſt Sederunt read.

[Anent ane Land Ceſs & an additional Excise]

A REPORT brought in from the Committie for Security of the Kingdome Bearing that ane Land Ceſs and ane additionall Exciſe be the fonds for raiſeing a million and eighty thouſand pound of the fourteen Hundred and fourty thouſand pound offered to His Majeſtie read voted and approven in Parliament nemine contradicente

THE Report from the said Committee for proportioning the quota of the Ceſs and Exciſe for makeing up the forſaid Sum, read, and the furder Conſideration therof delayed till to morrow

[Anent the Mint] PETITION for the Generall and Master of his Majesties Mint touching the Copper coyn read and remitted to the Committee for Security of the Kingdome.

[Anent Universities &c.] OVERTURE for an act in favors of Universities Colledges, Schools and Hospitalls remitted to the Committee for Security

[Anent delivering Meal by weight] ACT concerning the delivering of Meal by weight brought in from the Committee for trade, read and ordained to lye on the table.

THE Committees appointed to meet this afternone at five a clock.

THEN the Lord Chancellour by order of His Majesties High Commissioner adjourned the Parliament till to morrow at ten a clock in the forenoon

SEPTEMBER XVI, M,DC,XCVI.

PRAYERS said Rolls called

PATRICK Murdoch Commissioner for the Burgh of Whithorn Excused by his Grace His Majesties High Commissioner because of his indisposition

SIR John Hamilton of Halcraig Commissioner chosen for the Burgh of Cullen took the oath of alleadgeance Subscrived the same with the assurance and took the oath of Parliament.

MINUTS of the last Sederunt read.

[Reports &c. anent the supplies for maintaining of the standing forces] ANE Report brought in from the Committee for Security of the Kingdome bearing That the Supplies for maintaining of the standing forces &c. be given to his Majestie for two years read and after some debate it was put to the vote, proceed or delay the Consideration of this report, and it carried proceed, Then the Parliament haveing considered the said report it was put to the vote approve or not, and it carried in the affirmative.

ANOTHER Report brought in from the said Committee that four pennies on the pint includeing the annexed Excise for two years and also that ten moneths Land cess yearly for two years be granted to His Majestie for Maintaining the standing forces, mentaining and payeing the frigotts and Cruisers for two years and for buying amunition and arms, and repairing the garisons.

AS Likewayes a third report from the same Committee That the Retention of one per Cent. of ãrents be granted to debitors for the said two years, And the Parliament takeing first to their Consideration this last report concerning retention, after some debate it was put to the vote Whither retention of one of Six per Cent. of ãrents should be Retained by Debitors for two years or for one year and ane halfe and it carried Retention for one year and ane half

THEN the Parliament proceeded to Consider whither four pennies on the pint includeing the annexed Excise and Ten moneths Land Cess for two years or if the four pennies on the pint of Excise with the said ten moneths Cess for the first year and for the Second three pennies of additionall Excise to the annexed Excise makeing in all Six pennies per pint with Eight moneths cess should be granted to his Majestie, And it carried by vote four pennies on the pint of Excise and ten moneths Land Cess for one year and Six pennies on the pint of Excise includeing as formerly with eight moneths Land Cess for the Second year.

ANE Overture for bringing in an act for Makeing of Salt after a new fashion fit for cureing of fishes read and remitted to the Committee for trade. [Making of Salt]

AN Overture for Erecting a royall Society of Swordmen read and Remitted to the Committee for Elections [Society of Swordmen]

PETITION the Lord Ross against Sir Robert Milne presented and ordained to be seen and ananswered against Munday nixt [Lord Ross agt Sir Robert Miln]

AT EDINBURGH the Sixteenth day of September I^co vj^c and ninty six years His Majesties high Commissioner and the Estates of Parliament Dispenses with the Sitting of the Sheriff Court of Edinburgh the eighteen of this instant Dispensation to the Sheriff Court of Edr to sit

AN Overture for making Salt upon Salt read and Remitted to the Committee for trade [Salt upon Salt]

THE Committees appointed to meet to morrow at nine a clock in the forenoon

THEN the Lord Chancellour by order of his Majesties High Commissioner adjourned the Parliament till friday nixt at ten a clock in the forenoon

SEPTEMBER XVIII, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

THE Lord Lindors Excuſed by his Grace His Majeſties Commiſsioner becauſe of his indiſpoſition.

[Rosehaugh ag^t Harden] A WARRAND for a citation at the inſtance of the Laird of Roſehaugh againſt Sir William Scot of Harden granted in common forme.

[Anent the Aſsociation] ACT brought in from the Committee for Security of the Kingdome for Signeing the Aſsociation by all in publict truſt read and ordered to lye on the table till to morrow

[Act anent the Supply approven] ACT brought in from the ſaid Committee for uplifting of the eighteen moneths Supply upon the Land rent read; And the Queſtion being moved if the same ſhould be payed at the terms contained in the act as brought in, The vote was ſtated if the Supply upon the Land rent ſhould be uplifted as contained in the act, or quarterly And it carried quarterly, and after ſome other amendments the act was voted and approven in Parliament

[Act anent Deeds done on death bed brought in] ACT regulateing the former Law Concerning deeds done on death bed brought in from the ſaid Committee read and ordered to lye on the table.

[Suppreſsing of profanity] OVERTURE for bringing in an act for Surppeſsing of Profanity remitted to the Committee for Security of the Kingdom.

[Anent Officers arrears] PETITION ſeverall officers of the forces concerning their arrears read, and the Conſideration therof delayed till Tueſday nixt at which time thoſe in the Commiſsion appointed in the laſt Seſsion of Parliament for the hearth and pole money are ordained to give ane accompt of theſe fonds.

PETITIONE Archbald Cockburn younger of Langtoun Craveing a perſonall protection read and granted till the firſt Seſsion of Parliament after expireing of his fathers protection

Protection in favors of the Laird of Langton younger AT EDINBURGH the Eighteenth day of September I^m vj^c and ninty ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by Archbald Cockburn younger of Langton Humbly Shewing That where the Condition of his fathers eſtate and Creditors wherein he is ſo much involved is ſufficiently known to the Honourable Court of Parliament who have once and again in thir two laſt Seſsions by two ſeveral acts granted him a perſonal protection from his Creditors upon the Conſiderations herein ſpëit; Which Conſiderations have alſo proved to be ſo true in the Event, that now it is generally confeſsed not onely by the Creditors themſelves but by all others acquainted with that affair, that had it not been for theſe two protections and his fathers managdement under the covert therof, the eſtate had gone to an inextricable confuſion both to the prejudice of the Creditors and their ruine And seeing it is alſo notourly known that all the Petitioners engagements to the Creditors were with and for his father and that there is no proper debt of his own that he is troubled with: As alſo that whatever he had of his fathers eſtate is now included in the tack ſet therof by the ordinance of the Lords of Seſsion with their Conſent to John Watſon merchant for their behoof so that they actually poſseſsing his whole eſtate he may even in Common Law plead immunity from all perſonall dilligence Likeas he does alſo preſume from good grounds that the whole Creditors concerned in the ſaid eſtate are convinced of the equity of his deſire in regaird that all he pretends to is immunity and libertie to his perſon as to the Creditors to whom in effect he is only a Cau^r and who have alſo the actuall poſseſsion of all his reall eſtate and as to whom his father the principall debitor hath already obtained the Protection of the ſaid Honourable Court as ſaid is, And Therfor Craveing his Grace and their Lordſhips in conſideration of the premiſses ſo clearly founded in Law equity and reaſon to grant him a perſonall protection and full Immunity and freedom as to his perſon from all dilligence at the inſtance of his ſaid Creditors, specially ſeeing it can onely tend to their advantage and not in the leaſt to their prejudice as the ſaid Petition bears Which Petition being read in audience of His Majeſties High Commiſsioner and the Eſtates of Parliament and they haveing Conſidered the ſame They granted and hereby grants the Deſire therof and Diſcharged and hereby Diſcharges all perſonall Execution againſt the Petitioner for all debts in which he is engaged with or for his father untill the firſt Seſsion of Parliament nixt after the Expireing of the Protection granted to his father in the Preceeding Seſsions of this Parliament.

PETITION the Laird of Broomhall Craveing a perſonall protection upon the offer of a Diſpoſition and makeing faith as uſe is read and granted.

Protection in favors of the Laird of Broomhall

AT EDINBURGH the Eighteenth day of September I^m vj^c^ and ninty ſix years Anent the Petition given in and Preſented to His Majeſties High Commiſsioner and the High and honourable Court of Parliament by Sir Alexander Bruce humbly Shewing That the Petitioners vaſt and immense engagements for the deceiſt Earle of Kincairdine amounting now to upwards of Six hundred thouſand merks and the infeftments and other encumbrances wherwith the Eſtate of Kincairdine is affected Do on the one hand render it impoſsible for the Petitioner at preſent to pay theſe debts or to get relief of them, and on the other hand the rigidity of ſeverall Creditors does by Captions and perſonall Execution Deprive him of all means of induſtry by which he may either improve what he hath or acquire more to the greater benefite of his Creditors or ſubſiſtance of his familie. But to make appear and give Evidence that the Petitioner does ſincerely and earneſtly deſire to Pay them he is content and ready to denude himſelfe in favors of his Creditors of all eſtate both perſonall and reall that he has or can lay claime to without reſerve. And that in ſuch manner as the ſaid High and Honourable Court ſhall judge moſt proper and requiſite and utterly Renunce all intereſt in it or pretenſion to aliment or any thing out of it and betake himſelfe to the Effects of his induſtrie for ſubſiſting himſelfe and his numerous family Likeas He hath with the ſaid petition, given in a full and formall Diſpoſition in favors of his Creditors of all Eſtate whatſomever that he either hath or ſhall at any time by his induſtry purchaſe and acquire with a Conſent to a roup and ſale therof as the Creditors ſhall think fit And ſeing this is all that is poſsible for the Petitioner to do or which can either in Law or equity be demanded of any debitor, and that it ſo manifeſtly tends to the advantage of thoſe Creditors and that it is weel known that the whole product of his eſtate hath been applyed to their behoove and that his induſtrie hath alſo produced much more to them then his eſtate could ever doe and that he hath an numerous familie that can only be Subſiſted by his perſonall Liberty and induſtry Humbly therfor Beging and Hopeing from the Bounty and Juſtice of his Majeſties high Commiſsioner and the high and Honourable Court of Parliament That they would grant him a protection againſt perſonall Executiones, as the ſaid Petition bears And he produced therwith the forſaid Diſpoſition granted by him in favors of his Creditors of his haill means and eſtate dated this Eighteenth day of September I^m vj^c^ and ninty ſix years And gave his oath and depoſition this day in preſence of His Maties High Commiſsioner and Eſtates of Parliament That he had made no other diſpoſition in prejudice of his Creditors then the diſpoſition produced Except ane other wherof it is the Double with ſome enlargements in favors of his Creditors and now lyeing before the Lords of Seſsione As the ſaid Diſpoſition with the oath and Depoſition written on the foot therof Subſcrived by the ſd Sir Alexander and the Lord Chancellour in themſelves bears. Which Petition Diſpoſition Oath and Depoſitione above mentioned being at length read heard ſeen and conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament They in reſpect of the Diſpoſition produced and his oath Have Granted and hereby Grants the Deſire of the forſaid Petition and Have diſcharged and hereby Diſcharges all perſonall Execution againſt the Petitioner Except as to the Debt due by him to the Theſaury.

Act in favors of Mr John Sprewell Merchant anent the collection for redemption of Captives

AT EDINBURGH the Eighteenth day of September I^m vj^c^ and ninty ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by John Spruel merchant in Glaſgow appointed Collector by the Act of Parliament of the Collection appointed for the relief of the poor Captives in Barbary Humbly Shewing That of the forſaid Collection the Petitioner hath onely received from thirteen preſbitries and a few other places Four thouſand one Hundred Eighty and ſix pounds twelve ſhilling conform to the particular accompt produced with the ſaid Petition of which the Petitioner hath remitted to London to Mr Foulis ſome more then three thouſand ſix hundred Pounds he hath alſo given Credit to draw on him two thouſand four Hundred pounds more in proſpect of what may come in from the remanent Preſbitries. But after haveing written both to Spain London and Amſterdam to perſons that could give me the beſt intelligence And that both they and he have written to Barbary Mr Foulis and Joſeph Pace adviſe me that nothing could be done for their ranſom unleſs a thouſand dollars at leaſt were offered for the man beſide other charges And there being nine of them, and ſo little appearance that they can be Redeemed by what either is Collected or to be Collected the Petitioner muſt in all humility as haveing his truſt from the ſaid Honourable Court Crave His Grace and their Lordſhips Direction And Therfor Craveing His Grace and their Lordſhips either to direct the Petitioner what he ſhall doe with the forſaid money Remitted and what remains in his hand As alſo with what may be farder Collected; or elſe to appoint any two or three perſons whom His Grace and their Lordſhips ſhall think fit to intruſt and to give them full power for his directione from time to time as to all that concerns the ſaid money and the Redemption of the ſaid Captives It being a matter of that difficulty that the Petitioner can proceed no farder by himſelf without the forſaid Direction as the ſaid petition bears. Which Petition being read in audience of His Majeſties High Commiſsioner and the Eſtates of Parliament And they haveing conſidered

the ſame They have appointed and impowered and hereby appoints and impowers Patrick Lord Polwarth Lord High Chancellour Sir James Stewart his Majeſties advocat Mr Francis Montgomery of Giffine Sir John Maxwell of Pollock the Lord Whitelaw and the Proveſt of Glaſgow for the time or any three of them to give the Petitioner direction from time to time as to all that concerns the above mentioned money and Redemption of the above Captives.

Act in favors of Mr Andrew Burnet late Minister at Aberdeen

AT EDINBURGH the Eighteenth day of September Ic vjc and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and Honourable Eſtates of Parliament by Mr Andrew Burnet late Miniſter at Aberdeen humbly Shewing That where by Sentence of the High Court of Parliament upon the firſt of July Ic vjc and ninty five years the Petitioner was deprived of his Benefice and Diſcharged the Exerciſe of his Miniſteriall function within this Kingdom and impriſoned untill he Enacted himſelf under the failzie of ane hundred pound ſterling not to go to the north ſide of fforth after the firſt of Auguſt in the year forſaid: To which Sentence the Petitioner hath given full obedience and hath lived with his familie at Edinburgh now for the ſpace of fourteen moneths, as became a dutiefull ſubject without giveing the leaſt ground of offence either to Church or State. But the tranſporting of his numerous familie from the North and liveing with them for ſo long time in the South, and any little mean of Subſiſtance he hath in the North to maintain them not being ſufficient to ſerve their neceſsities the one half of the year at Edinburgh in the time of plenty and much leſs in this time of dearth hath redacted him to great ſtraits and difficulties And therfor humbly Craveing that His Grace and Honourable Eſtates of Parliament would conſider the premiſses and diſcharge him of the forſaid Sentence in ſo far as concerns his Confinement he being ſtill reſolved to ſhew all dutyfull acquieſcence and compliance as to the other parts therof Which Petition being read in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament and they haveing conſidered the ſame They have Diſcharged and hereby Diſcharges the Petitioner from the Sentence pronounced againſt him in manner above repreſented in ſo far as concerns his Confinement allennarly but prejudice to the other part of the ſaid Sentence as accords.

Remit and Protection in favors of John Veitch of Dawick

AT EDINBURGH the Eighteenth day of September Ic vjc and ninty ſix years Anent the Petition given in and preſented to his Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by John Veitch of Dawick preſenter of Signatures in Exchequer Humbly Shewing that the Petitioners umqh father Sir John Veitch of Dawick haveing been Maſter of Work to his Majeſtie King Charles the Firſt for many years and not onely haveing lyen out of the ſmall Sellary then allowed to the Maſter of Work but likewayes haveing advanced of his own proper money the ſoume of nine thouſand merks to Workmen and merchants for materialls towards the Reparations of the abbay and others his Majeſties houſes conforme to a particular accompt allowed and renewed by his ſon King Charles the Second And wherof the Petitioners father nor himſelf has not yet received a Six pence Which Debts being contracted by the Petitioners father in anno Ic vjc and fourty one with the intereſt therof ſince ſyne extends now to the ſoume of thirty ſix thouſand pounds Scotts has principally been the cauſe and occaſion of the ruine of the Petitioners ſmall intereſt and forced his father and him to Contract debts wherethrough his whole eſtate is now Exhauſted and he was neceſsitat for his own livelihood and the entertainment of his numerous familie to make a purchaſe of this ſmall imployment in Exchequer wherefrom he is like to be debarred through the rigour or rather the malice of ſome of his Creditors who notwithſtanding of his free and voluntar conſent to the ſale of his eſtate for payment of his debt befor the Act of Parliament Ic vjc and ninty and befor the expireing of adjudications againſt his Eſtate (the price not being able to ſatiffie all) will not be ſatiffied with their proportion of the price ariſeing by the ſale but will uſe Execution againſt his perſon though they can have no benefite thereby but allennarly the gratifieing their malicious humors by debarring the Petitioner from his imployment wherby he can ſcarcely have bread to his familie And notwithſtanding that he was ſo carefull of his Creditors intereſt that his Eſtate haveing fallen under Recognition he did not endeavour to procure ane gift in favors of his Children which might have been legally done But he did concurr to the procureing of the gift in favors of one of his Creditors and of takeing the Backbond in favors of his other Creditors according to their Dilligence And the Lords of the Theſaury were ſo conſcious of the Petitioners fair dealing and ingenuity in the ſaid matter that they did burden the Back bond with this expreſs quality That none of the Creditors who ſhould uſe perſonall dilligence againſt the Petitioner ſhould have the benefite of the ſaid Backbond And by which Backbond it is likewayes provided that the ſoume of ten thouſand merks to which the Petitioner had right by a ſingular title from his Creditors ſhould be divided proportionally among the perſonall Creditors who did not come in pari paſsu on the Eſtate with the other Creditors whereby all imaginable fair dealing appears on the Petitioners part towards his Creditors and

seeks no other requiteall but a freedom to his perſon to follow his employment The debarring of him from which will be ane inevitable ruine to him and his familie and can be no advantage to any of his Creditors And that farther the Petitioner is moſt willing and heartily conſents that the ſoums due to the Petitioner upon the account forſd be diſtributed among ſuch of his Creditors as are at any loſs by the ſale of the Eſtate at the ſight of ſuch as the Honourable Court of Parliament ſhould appoint or the Lords of the Thefry ſhould think fitt to name so that the Petitioner ſhall have no benefite thereby And therfor Craveing His Grace and the Honourable Eſtates of Parliament to take the Petitioners Condition to their conſideration And to recommend him to his Majeſtie for the Payment and Satiſfaction of his juſt Debt reſting by the Exchequer which will much more then satiſfie all his Creditors who are not ſatiſfied by the price of the Eſtate And in the mean time to diſcharge all Execution againſt the Petitioners Perſon wherby he may be enabled to go about his employment and get bread for himſelf and numerous familie to the nixt Seſsion of Parliament as the said Petition bears Which Petition being read in preſence of His Majeſties high Commiſsioner and the Eſtates of Parliament and they haveing heard the ſame They have Remitted and hereby Remitts to his Majeſties advocat to Conſider the inſtructions Produced in order to a Recommendation of the Petitioners caſe to the Lords Commiſsioners of his Majeſties Theſaury and in the mean [time] they have Diſcharged and hereby Diſcharges all perſonall dilligence againſt the Petitioner at the inſtance of his Creditors

THE Committees appointed to meet to morrow at nine of the clock

THEN the Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenone.

SEPTEMBER XIX, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

[Commiſsioners for Land Ceſs] ORDERED that the Commiſsioners for the ſeverall ſhyres give in their additionall Liſts of thoſe that are to be Commiſsioners for ordering and uplifting of the Land Ceſs againſt Tueſday nixt

[Act anent Rum] ACT allowing rum made within the Kingdom to be therin Vended read and ordered to lye on the table

DRAUGHT of the Parliaments answer to the Kings Letter brought in from the Committee to whom the ſame was remitted, read voted and approven in Parliament.

May it Please your Majestie

Parliaments anſwer to the KingsLetter.

WE have received your gracious Letter and cannot but be deeply sensible of your Royall and fatherly concern for this your ancient Kingdom not only in allowing us your Loyall Parliament to meet at this time when your Majeſtie is abroad engaged in a bloody warr But also in sending the Earle of Tullibardine to represent your Majeſtie in this Seſsion whoſe eminent worth upon the accounts expreſt in your gracious Letter hath deservedly procured him ane high eſteem from your Majeſtie and a great confidence in him from his Countrey whereby we are greatly encouraged to proceed the more chearfully in our duty which your Majeſtie is graciouſly pleaſed so particularly and kindly to recommend to us now when yow are taken so much up with the great affairs of Europe.

THE great and wonderfull deliverance of your Majesties sacred person from the late deteſtable and execrable conspiracie (whereby your People hath been preserved from the worſt of Calamities) is both the subject of our humble thanks to the Almighty and a moſt pregnant and powerfull motive for us to fall upon the beſt methods and measures for preventing all deſignes secret or avowed againſt your Maties perſon and government, for preserving wherof We have befor any other buſineſs heartily and unanimouſly signed the Aſsociation.

WE have in compliance with your Majeſties Letter settled fonds which will be ſufficient for the payeing of the forces for two years and for answering the other uſes therin mentioned and We ſhall endeavour to fall upon such methods of recruiteing as may be moſt effectuall for your service and leaſt burthensom to the Subject.

WE return your Majeſtie our humble and heartie thanks for your Royall care of the rights and Properties of your Subjects as to which yow have so fullie inſtructed your Commiſsioner that it will both encourage and enable your People to do to the outmoſt of their Power for your Majeſties service and satisfaction.

SINCE your Majeſties conſtant care for the wellfare and proſperity of your Subjects hath been so evident in the whole courſe of your reigne, It muſt neceſsarly unite us chearfully in your service and produce that Calmneſs and concord which your Majeſtie expects without any other fervour then of a joynt zeal for your intereſt and of Prayers to God that your Majeſties Reigne may be long and

prosperous over us. Subscrived in presence by order and in name of the three Estates of Parliament by

May it please your Majestie
Your Majesties most humble most obedient, and most faithfull Subject and Servant
Sic Subscribitur POLWARTH Cancellar.
Edinburgh I. P. D. Parl.
19 Septr 1696.

[The Association] ACT for Signeing the Association by all in publict trust, read this day and after some amendments, voted and approven in Parliament.

[Packing of Salmond] OVERTURE for ane act for the right Packing of Salmond, remitted to the Committee for trade.

[Old 14 s. pieces] REPORT of the Committee for trade touching the old fourteen shilling pieces and their fractions read and ordered to ly on the table.

[Selling of meal by weight] ACT for Selling of Meal by weight read, and the Question being stated if all sorts of meal or oat meal onely should be Weighed It carried that all sorts of meal should be sold and delivered by weight and after some amendments the act was voted and approven in Parliament

THE Committees appointed to meet upon Munday at nine a clock in the forenoon

THEN the Lord Chancellour by order of his Majesties High Commissioner adjourned the Parliament till Teusday nixt at ten of the clock in the forenoon

SEPTEMBER XXII, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the last Sederunt read

[Additional Excise] ACT brought in from the Committee for Security of the Kingdome granting to his Majestie ane additional Excise and for uplifting the famine with the annexed Excise, read, and after some amendments voted and approven in Parliament.

[Anent the Pole] REPORT from the Commission of the Pole read, and the Consideration therof delayed till friday nixt, and His Majesties Solicitor appointed to cause print the same that the members may have copies and all parties concerned ordained to inform the Parliament against the said day.

[Lord Jedburghs Regiment] PETITION the Officers of the Lord Jedburghs Regiment read and ordered to lye on the table till friday nixt

[Ministers of the Church] REPRESENTATION by the ministers of the church to the Parliament read and remitted to the Committee for Security of the Kingdom.

[Mines & Coal Pits] OVERTURE for working Levells and sinks to Mines and Coall Pitts read, and remitted to the Committie for trade

[Harbour at Greenock] OVERTURE for Building ane harbour at Greenock read and remitted to the Committee of trade

[Fashions of Cloaths] OVERTURE for ane constant fashion of Cloaths for men, and another constant fashion of cloaths for women, read and remitted to the Committee for Elections

Remitt to the Session of the cause the Lord Ross against Sir Ro^{t} Miln

AT EDINBURGH the Twenty Second day of September I^{m} vj^{c} and ninety Six years Anent the Petition presented to His Majesties High Commissioner and the Honourable Estates of Parliament by William Lord Ross Humbly Shewing That where there was a tack of the customes Set to Sir James Cockburn of that ilk and Sir Robert Miln of Barntoun from November I^{m} vj^{c} and Seventy five to November I^{m} vj^{c} and Eighty In which Tack George Lord Ross the Petitioners father was a Copartner by vertue of a mutuall oblidgement entred into betwixt him and the saids two tacksmen dated the third of September I^{m} vj^{c} and Seventy five Wherby the saids Tacksmen declare that the tack was for the behoove of the Petitioners said father in so far as concerned a sixteenth part of the whole and that Contract containes a Commission to the tacksmen to manadge for him, And becaus it was aggreed by the tacksmen and partners that the first moytie of the tack duty which was payed per advance should be payed in by the severall partners for their resive proportions to the said Sir Robert Milne and that the sd soume should be reimbursed out of the first end of the money received by the collection Therfor the Petitioners father did pay in four hundred pound sterline which was his proportion and obtains the said Sir Robert his recept dated the thirty day of November I^{m} vj^{c} and seventy six containing ane oblidgement to repay when money came in, The said Sir Robert being one of the prin^{ll} tacksmen was Cash keeper and manadger for the whole, and that tack was certainly one of the most advantageous that has been set of his Majesties customes, The tack duty being very easie and the tack have-

ing continued. for five years & therfor the Petitioners father and he, who now has right to his intereſt had all the reaſon in the world to expect their juſt ſhare of the profite. But in place of a fair and equall account which the Petitioner has fought with all the patience and tenderneſs to Sir Robert that could be expected, He has been hitherto able to obtain no ſatiffactory account On the contrary it appears plainly by the Documents which the Petitioner has recovered, that that matter was manadged with too much of intrigue, and though the tackſmen when the thing was recent could not be ſo coarſe as to pretend there was no profit yet by the Event it was intended there was never a ſhilling to be given to the Partners And ſeeing it was very well known to his grace his Majeſties Commiſsioner and a great part of the Honourable members of Parliament that the Petitioner has occaſion to be out of the Kingdom for the moſt part and that Sir Robert Milne is of great age and in the proſecution of this affair many things may probably depend upon his oath and knowledge the Petitioner muſt beg leave to lay befor His grace and honourable Eſtates of Parliament the ſtate of the affair to the effect it may be fairly and ſpeedily determined And therfor firſt it is evident that Sir Robert Milne muſt unavoydablie pay the Petitioner the four hundred pound ſterline advanced by his father in the terms of his recept and oblidgement Secundo The Petitioner has uncontraverted and clear rights to the Sixteenth part of
as the Ballance in ane abreviat of the accompts for the whole years manadgement fitted and ſubſcrived betwixt Cockburn and Sir Robert Milne Tertio The Petitioner muſt be allowed to quarrell that abreviat becauſe at the time of the Subſcriveing of that fitted accompt there was a declaration granted be Sir Robert Milne to Sir James Cockburn bearing That albeit the abbreviat was ſigned by them both yet the accompt ſhould be open both as to charge and diſcharge So that the abreviat does indeed bind Sir Robert, becauſe allowing all his articles of Diſcharge as they were ſtated at randum yet there was a ballance of profit due to the Partners and in effect that abbreviat which was fitted betwixt Sir James Cockburn and Sir Robert was but in order to impoſe upon the other partners who were leſs ſkilfull in the manadgement of the cuſtomes to the effect that Sir James and he might enjoy and ſhare therafter the profits betwixt them Quarto The Petitioner muſt be allowed the intreſt of the ſaid four Hundred pound advanced and of his proportion of the profit from the time it fell due. To all this the Petitioner has been able to obtain no other anſwer but firſt as to the recept of four hundred pound granted by Sir Robert to the Petitioners father That at the ſame time his father granted a declaration importing as if the Deſigne had been only to induce the reſt of the Partners to advance their ſhares and to fortifie this his alleadgeance that Sir Robert gave ane account in to the Petitioners father of Charge and Diſcharge wherin he expreſsly Diſcharges himſelf of that four hundred pound ſterline on the account of the forſd declaration granted be the petitioners father Secundo for Exhauſting the proportion of the profite due to the Petitioner He does alleadge ſeverall partiall payments made to him and his father, and Tertio for inſtructing of all this. The Petitioner is told that his houſe and Papers were burnt and he muſt take all upon his word. To which the Petitioners anſwers were plain and evident that the recept granted be Sir Robert Milne to his father was a clear neat evidence of the Payment of the money as for the Back note granted by his fatlier to Sir Robert there is no inſtruction for it nor had the Petitioner ever the leaſt intimation of it from his father or any ground to believe it from all he hes ſeen in his papers It is true there is a ſcroll of ane accompt pretending it was payed, but that did not move the Petitioner becauſe in communeing with Sir Robert upon another occaſion he gave the Petitioner in ane accompt wherin he ſtates conſiderable ſoumes received by the Petitioner himſelfe out of the Eſtate of Grange which to the Petitioners certain knowledge was ane abſolute miſtake and afterwards Sir Robert was brought to acknowledge it Now if Sir Roberts memory hes failed him in relation to the Petitioners fact and deed in compting with himſelf the Petitioner thinks it will be allowed he might have miſtaken in relation to his fathers fact and deed in a ſcroll of an accompt which probably was never under his fathers conſideration Secundo as to the Payments made to the Petitioner or his father he never did nor will decline to allow even ſuppoſe they altogether wanted ane inſtruction if it did but conſiſt with his memory that the alleadgeances were true But to pretend to have ſuch articles allowed without either inſtruction or the Petitioners knowledge but upon Sir Roberts bare aſsertion is a thing altogether extraordinary Tertio as to the burning Sir Roberts houſe and inſtructions that again muſt depend upon his aſsertion and whatever be the matter as it is manadged Sir Robert hes little occaſion to repent it, ſome inſtructions which probably ſhould have ſuffered with the reſt are produced which is no little ground to ſuſpect that if the reſt could bear a tryall they might be found Laſtly That which makes the Petitioner the more criticall in requireing inſtructions in this matter is becauſe he does freely acknowledge that by the obſervation he has made of the manadgement of the concerns of the tack he does not ſee that the matter has been plainly and fairly carried for the abbreviat which is produced appears to have been a blind to impoſe upon the reſt of the Partners betwixt Sir James and Sir Robert as has been already ſaid, and which came to light by differences which aroſe betwixt them beſides that the abreviat appears to

be very extravagant as is evident by the articles of repayment of the cuſtome payed for goods imported in order to be Exported again which amounts to no leſs then about three hundred thouſand merks beſides the Extravagancies of incidents and it is certain and known to all that underſtand that matter that theſe kind of repayments upon Export of goods imported ſince the Act of Parliament allowed it does not amount to the fourth part of the ſoume ſo that that article is moſt groſs and intenable This being the true and ingenuous accompt of the matter His Grace and ȳr Lordſhips will perceive in how many reſpects it deſerves a ſpeciall conſideration And therfor craveing His Grace and honourable Eſtates of Parliament in conſideration of the Premiſses either to allow the Petitioners forſaids pretenſions to be determined befor their Lordſhips or otherwayes to Remit any proces to be intented at the Petitioners inſtance againſt Sir Robert to the Lords of Seſsion to be diſcuſt ſummarly leaſt the Petitioners juſt right ſhould ſuffer by his neceſsary abſence and Sir Roberts age as the ſaid Petition bears. Which Petition being upon the Sixteenth day of September inſtant preſented to, and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They ordained the above Sir Robert Milnes prȭrs to ſee and anſwer therto againſt Munday then nixt Conform to which interloquitor William Maxwell macer did upon the ſaid Sixteenth day of September lawᵗˡʸ intimat the above written Petition and deliverance to Sir Robert Milne his Lady himſelfe being out of toun And the ſaid Petition being upon the day and date hereof Heard and Reconſidered by his Majeſties High Commiſsioner and Eſtates of Parliament and it being intimat and no anſwer made therto They have Remitted and hereby Remitts to the Lords of Seſsion the above proces raiſed or to be raiſed at the Petitioners inſtance againſt the above Sir Robert Milne to diſcuſs the ſamine ſummarly without abideing the courſe of the Roll and to Determine therin as they ſhall find juſt.

[Anent Bankrupts &c.] OVERTURE anent Bankrupts As alſo another Overture touching deeds done on death bed read & ordered to lye on the table, and His Majeſties Solicitor appointed to cauſe print theſe two Overtures for the better information of the members.

[Rum] ACT allowing Rum made within the Kingdom to be vended therin read voted and approven in Parliament

[Old fourteen & seven shilling peices] OVERTURE brought in from the Committee for trade anent the old fourteens and ſeven ſhilling peices read and appointed to lye on the table and the ſamen ordered to be printed.

[Order anent the paſsing of Acts] OVERTURE concerning the order to be obſerved in Parliament in the makeing and paſseing of Acts read and remitted to the Committee for Security of the Kingdome.

Remitt to the Seſsion of the cauſe the Earle & Counteſs of Sutherland agᵗ the Lairds of Lees and Knox AT EDINBURGH the twenty ſecond day of September Iᵐᵒ vjᶜ and ninty ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the Right honourable the Eſtates of Parliament by George Earle of Sutherland and Jean Counteſs of Sutherland authorized by the ſaid Earle his factory and Commiſsion to the effect underwritten humbly Shewing That wheras the Earle of Sutherland haveing the laſt Seſsion of Parliament addreſsed himſelf by Petition Narrating his intreſt in the preſent Viſcount of Arbuthnot and his brother and ſiſters as the Earles grandchildren and that failȝieing Succeſsion of the Earle himſelf by his ſon the Lord Strathnaver he had entailed his Eſtate upon this Viſcount of Arbuthnot And Regrateing that the Viſcount and the other children being an other ſon and five daughters were ſadly abuſed by the practiſes of Alexander Arbuthnot of Knox pretended tutor of Law and Sir Thomas Burnet of Leyes in manner mentioned in the ſaid Petition And ſpecially that the saids younger children being orphants were like to be miſmanadged in their education and want both aliment and patrimonies They not haveing been provided in the fathers lifetime And that the Viſcounts eſtate was palpably miſmanadged through the not due inventaring of the Writs uplifting and employing of the Rents and calling of the former intromettors to compt and reckoning And therfor and on ſeverall other Conſiderations mentioned in the ſaid Petition Craveing That the Earle and other Honourable perſons therin mentioned might by a ſpeciall act in favors of the Viſcount of Arbuthnot and his brother and ſiſters be authorized to manadge their affairs in manner mentioned in the ſaid Petition And that ſuch a competent aliment both for being a fond for makeing ſome ſtock als well as for entertaining and educateing the ſaids younger children might be appointed by authority of Parliament as the ſaid Petition which is here held as repeated more fully bears And true it is that the Commiſsioner his Grace and the Eſtates of Parliament haveing remitted the ſaid Petition to a Committie the Report would have found the Deſire therof moſt reaſonable and the Speciall act craved would doubtleſs have been paſt but that the ſaid tutor and Sir Thomas Burnet uſed all their practiſes to obſtruct the ſame, for they did by mediation of ſome of the members of the Committee and at the ſight of three eminent Lawyers upon the Earles Condeſcending that the ſaid Knox ſhould be served tutor of Law Engage themſelves and promiſe that the ſaid tutor ſhould find Caution to the Earles ſatiſfaction particularly

the said Sir Thomas himſelfe Mr John Arbuthnot uncle to the said Viſcount Glenbervie and Robert Arbuthnot proveſt of Montroſe And ſpecially that the ſaid tutor ſhould Compt yearly in January at the sight of the said Earle, The Earle of Forfar and Lord Stranaver or any to be appointed by them And that he ſhould not medle with the Chartor chiſt, Cabinets, or Writs and keepings of the same but at the sight of the Earle and others forſaids And that he ſhould at their ſight diſpoſe of the moveables in and about the houſe and make payment to the Earle of the third part of the price of the inſight pleniſhing as Executor to his own daughter the Viſcounteſs to whom the ſaid third did belong and that the said tutor should concurr for recovering payment of what was reſting of the Ladies joynture which to this day he hath not performed and all under a penalty as is at length mentioned in the Contract paſt theranent and Memorandum apart given in and repeated with the said Petition. And nevertheleſs ſuch was the said tutor and Sir Thomas Burnet their unaccountable way that they violated every one of theſe articles, and to put the Earle the farder from any ſpeedy remedy they have ſuſpended the said agreement befor the Lords upon moſt frivolous & calumnious grounds and which befor the same can be diſcuſsed with reſpect to the multiplied dilators & ſhifts that they throw in will give them opportunity of embazeling the eſtate and fortune for some years while in the mean time as the said Knox himſelfe is notoriouſly inſolvent and Sir Thomas said to have given the fee of his eſtate to his ſon so the said Knox has not at his being ſerved tutor at all found Caution in the terms aforſaid of the agreement Beſides that they the said Knox and Sir Thomas have upon groſs miſrepreſentations to the Privy Councill procured the Reſtriction of the aliment modified to the younger children from five thouſand merks to two thouſand five hundred merks as if the Eſtate were not able to bear more while in the mean time it is known to be very able to support it And that the tutor by haveing the writts without inventar or ſcall may embazle and make what alterations he thinks fit in reference to the perſonall fortune and debts of the familie Likeas they the said Knox and Sir Thomas as they have not Compted nor Reckoned conform to agreement nor yet made any faithfull ſale or accompt of the moveables nor payment to the ſaid Earle for his third part so they have moſt injurioufly attacked the Earles reputation and honour by alleadgeing in judgement and in their calumnious lybelled reaſon of Suſpenſion that at his Lordſhips being at Arbuthnet he did embazle and carry away the goods and moveables of the houſe in lock faſt trunks: A charge ſo foul that it is hoped his Grace and the Eſtates of Parliament will take notice of it conſidering the Earles character untainted honour: Likeas to demonſtrat the said Sir Thomas and tutor their inſolence towards the Earle it is evident by a declaration in write which is produced with the ſaid Petition under the hands of famous perſons that when the Earle in obedience to a charge given him to go north for seeing the Writts and evidents of the Eſtate inventared be the said Sir Thomas did after the Earles arrivall ſhift the matter for eleven dayes time with ſo many ridiculous pretences and affected ſcruples and with more banter and laughter then did become that at length the tutor haveing made ſome figure of ane inventar as to the reall eſtate, he did at his own hand and contrare to all the arguments the Earle could uſe uſurp and maſterfully enhance the poſſeſsion and medling with all the writes and evidents of the perſonall fortune without either inventar or Seal, So that the Earle was put to the loſs of his travel and expences and that the Eſtate of Arbuthnot upon the event will certainly be much damnified by the said Sir Thomas and Knox their practices, if his Grace and the Eſtates of Parliament do not in ane extraordinary way prevent the ſame And therfor Craveing that his Grace and Honourable Eſtates of Parliament would be pleaſed to take this caſe and all the Circumſtances therof to their Conſideration And in order therto that His Grace and the Eſtates would be pleaſed to Recommend the said Petition and the Earle his former Petition with the above mentioned Contract and the articles of the Memorandum above expreſt with the way & manner of the said Sir Thomas and Knox their groſs violation of the terms of their promiſes and agreements and injurious indignities offered by them to the Earle as aforſaid to the Conſideration of the Committee appointed for trade, That according as the matters there repreſented and Complained of ſhall be found verified They the said Sir Thomas and Knox may not only be taken notice of, by ſuch animadverſion as ſuites with their demerit but likewayes they ordained to fulfill the reſpective heads of their engadgements and promiſes and that within ſuch a time and under ſuch penalty as His Grace and the Honourable Eſtates of Parliament ſhall think fit, attour the Declareing the said Sir Thomas and Knox lyable for all coaſt ſkaith and dammadge that hitherto and hereafter the familie or eſtate of Arbuthnot has or may ſuſtain as the said Petition bears And the said Sir Thomas Burnet of Lees and Alexander Arbuthnot of Knox haveing given in and preſented unto his Majeſties High Commiſsioner and the Right honourable the Eſtates of Parliament ane Petition by way of Anſwer to the former Petition given in by the Earle and Counteſs of Seaforth Humbly Shewing That where ther being a Petition preſented to his Grace and the Eſtates of Parliament in name of the Earle of Sutherland Narrateing a former Petition given in the laſt Seſsion of Parliament ag^t Knox. As alſo the proceedings of the Committee of Parliament

appointed to Conſider that Petition with ane agreement that paſt betwixt Knox, Lees and the Earl theranent. As alſo repreſenting that Knox nor Lees had fulfilled any article of the agreement but on the contrair had ſuſpended the Earle when he charged them to fulfill and had procured a Reſtriction of the childrens aliment and uſed all endeavours to inhance the eſtate to the great hazard therof, Knox being inſolvent, and Lees haveing put his ſon in fie of his eſtate And therfor Craveing that this and former Petition with the whole matter may be Remitted to the Committee of Trade that Knox and Lees may be taken notice of by ſuch animadverſions as ſuits their demerit and ordained to fulfill their engagements under penalties attour being lyable for damnadges It is indeed admired how any can have the confidence in the Earles abſence to give in a repreſentation to the Parliament in the Earls name ſtuffed with ſo many Calumnies and unjuſt reflections And albeit the very manner of the addreſs be without preſedent and that Knox and Lees might ſo far relye upon the Juſtice of the Parliament that they would diſcourage ſuch defamatory addreſses and reject them Yet they ſhall offer to his Grace and Eſtates of Parliament the true matter of fact which will ſufficiently take off what is repreſented without further anſwer, and its hoped will be verified by many of the Honourable members who are ſufficiently known to moſt part of the circumſtances therof And firſt as to the Petition given in be the Earle laſt Seſsion of Parliament what was Craved therin was that Knox who was tutor in Law to the Viſcount of Arbuthnot ſhould be laid aſide and overſeers appointed by the Parliament This was not only contrare to Law but tended to the Debarring of Knox from what legally was his Birthright, Yet for removeing any difference that might ariſe there was a Committee appointed to whom an agreement was recommended betwixt the parties and accordingly Knox and Lees ſo far acquieſced that at the ſight of this Committee they entered in a condeſcendence in the terms repreſented in the Earles Petition and upon the matter have fulfilled all the oblidgements therof that are yet preſtable It is indeed true the Earle cauſed charge them with horning for performance which they were neceſsitat to ſuſpend upon moſt relevant reaſons and which reaſons are ſuſtained befor the Lords of Seſsion and they are already Convinced that Knox has found ſufficient Caution in the terms of his oblidgement the Bond of Caution being in the Clerks Hands And the other reaſons are upon the matter diſcuſsed there being terms aſsigned hinc inde to both parties to prove againſt the firſt of November. And as to the pretence of Reflections againſt the Earles honour in theſe lybelled reaſons both Sir Thomas and Knox did vindicat that by a Petition befor the Lords and do likewayes Declare to his Grace that they have that deference for the Earle that is ſuteable to his Character and all that they did in that Lybelled reaſons was that they offered to prove that there was pleniſhing or other goods belonging to the late Viſcount carried away in Lock faſt trunks which the Tutor behooved to have a particular inventar of; And this alleadgeance is already admitted by the Lords to the tutors probation. And as to the compting to the Earle yearly the Lords have already found that the firſt commencement of the accompts ſhould onely be in January nixt I^{m} vj^{c} and ninty Seven becauſe the tutor had no intromiſsion himſelf till the cropt I^{m} vj^{c} and ninty five So that all depends befor the Lords and the diſcuſsing of all is preſt by the tutor als much as poſsible Secundo As to the Councills reſtriction of the Viſcount of Arbuthnots childrens aliment that was done with ſo much deliberation by the Councill that the Petitioners ſhall leave to theſe honourable members to declare what paſt therin And albeit the tutor offered to aliment the children in all neceſsars for ane Hundred pound ſterling yearly And beſide if the Earle and his friends would aliment the one halfe of the children gratis, Knox and Lees offered to aliment the other half gratis that the debt of the familie might be the ſooner payed and the Viſcount therby put in a condition to give the larger proviſions to his brethren and ſiſters that are unprovided by their father, Yet this did not pleaſe the Earle ſo that the Councill for the better accommodating the matter were pleaſed to modifie two thouſand five hundred merks to be payed yearly to the Earle And conſidering the Burden on the familie it may be conſidered as a ſufficient allowance for the young childrens aliment. And as to what is further repreſented anent the not inventaring the Writts and Sir Thomas his indiſcreet behavior towards the Earle Lees does indeed confidently think that the Earle has given no Commiſsion to the drawer of the bill to inſert any ſuch repreſentation for his Lordſhip knows that Knox did not medle with the writts till he was preſent and witneſs to the breaking up of the Seals But that the writes ſhould be again ſealed and the tutors debarred from haveing acceſs to them when the Viſcounts affairs calls for them is that which is inconſiſtent with his office albeit in effect the tutor has medled with none of the papers ſince that time. Upon the whole matter, whatever may be Repreſented in the Petition, it may evidently appear that what was done by both the Councill and Seſsion was upon due Conſideration of the ſtate and condition of the familie and upon deliberat Conſideration of the matters befor them, as it is hoped they themſelves will vindicat in plain Parliament And therfor humbly Craveing that his Grace and honorable Eſtates of Parliament would Reject the ſaid Petition, and refer the Earle to the common courſe of Law to which both Knox and Lees willingly Submit themſelves and ſhall Concurr with the

Earle in procureing all the diſpatch in their power. And in reſpect the Earle has hitherto brought Knox and Lees to ſo much needleſs trouble and Expences both befor Parliament Councill and Seſsion That His Grace and Honourable Eſtates of Parliament would Recommend to him to forbear any ſuch groundleſs proces hereafter or Petitions ſtuffed with ſuch undue Reflections as the ſaid Petition in itſelf likewayes bears Which two Petitions above written being read in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament And they haveing Conſidered the ſame They have Remitted and hereby Remitts to the Lords of Seſsion to cognoſce and determine therin.

[Earl of Annandale excused]

THE Earle of Anandale Excuſed by His Grace His Majeſties Commiſsioner in reſpect of his Ladys ſickneſs.

THE Committies appointed to Meet to morrow at nine of the Clock in the forenoone

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till thurſday nixt at ten of the Clock in the forenone

SEPTEMBER XXIV, M,DC,XCVI.

PRAYERS ſaid Rolls called

MINUTS of the laſt Sederunt read

[Anent Bankrupts]

OVERTURE for makeing of ane act againſt Bankrupts brought in from the Committie for Security of the Kingdom read and after ſome amendments the ſame was paſsed in ane act which was voted and approven in Parliament.

[Anent Deeds on death bed]

OVERTURE for makeing an act for Regulateing deeds done on death bed brought in from the ſaid Committee read and after ſome amendment the ſame paſsed in ane act which was voted and approven in Parliament

OVERTURE for bringing in ane act Ratifieing the act of Sederunt made by the Lords of Seſsion for clearing the matter of death bed and the alleadgeance of going to Kirk and mercat remitted to the Committee for Security of the Kingdom

[Frauds of Appearand heirs]

OVERTURE for Explaining a clauſe of the twenty fourth act of the fifth Seſsion of this current Parliament entituled act for obviating the fraud of appearand airs brought in from the ſaid Committee read and ordered to lye on the table, and the Solicitor appointed to cauſe print the ſame for the better information of the members.

[Anent the nomination of Tutors & Curators]

OVERTURE for ane act allowing the Nomination of Tutors and Curators with ane Exemption from Omiſsions or being lyable conjunctly and ſeverally in ſolidum brought in from the ſaid Committee read and ordered to lye on the table and the Solicitor appointed to cauſe print the ſame for the better information of the members of Parliament

[Tutors & Curators accompts]

OVERTURE for ane act limiting the Preſcription of Tutors and Curators their accompts brought in from the ſaid Committee, read and ordered to lye on the table and the Solicitor appointed to cauſe print the ſame

[Anent paſsing of Acts]

OVERTURE for ane act concerning the order to be obſerved in Parliament in the makeing and paſsing of acts brought in from the ſaid Committee read and ordered to ly on the table.

[Anent packing Salmond]

OVERTURE for ane act for the right Cureing and packing of Salmond brought in from the Committee for trade read and ordered to lye on the table.

[Anent 14 S. & 7 S. pieces]

OVERTURE for an act Concerning the old fourteens and the old ſeven ſhilling peices brought in from the ſaid Committee read and ordered to lye on the table

[Anent bringing in water to Edinburgh]

OVERTURE for an act in favors of Mr James Smith for bringing in water to the City of Edinburgh or any burgh Royall within the Kingdom where water is ſcarce remitted to the Committee for trade.

[Combmakers]

OVERTURE for bringing in an act in favors of the Combmakers read and remitted to the Committee for trade

[Anent preparing of Barley]

OVERTURE for ane act in favors of John Hamilton merchant Burges of Edinburgh for the better preparing of Barley brought in from the Committee for trade read and ordered to lye on the table till to morrow.

[Impoſition on ſhips]

OVERTURE for makeing an act for takeing away the impoſition of tunage of ſhips laid on the laſt Seſsion of Parliament, remitted to the Committee for trade.

[Petition Robertland ag^t Corſhill]

PETITION Sir David Cuninghame of Robertland ag^t Corſhill and his Creditors Craveing that the Report of the ſaid Cauſe given in by the Com-

mittee of the laſt Seſsion of Parliament for privat affairs might be approven and after ſome debate the Queſtion was ſtated approve of the Report of the Committee or not it carried in the affirmative and it being afterwards moved That Robertlands Reduction againſt Corſhill and his Creditors ſhould be Remitted to the Seſsion after ſome debate it was put to the vote if the ſame ſhould be cognoſced by the Parliament or Remitted to the Seſsion And it carried Remit to the Seſsion; And the Conſideration of the other parts of his Petition delayed till to morrow

Act & Remit to the Seſsion, Sir David Cuningham of Robertland against Corſhill

AT EDINBURGH the twenty fourth day of September one thouſand ſix Hundred and ninety ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the Right Honourable Eſtates of Parliament by Sir David Cuningham of Robertland Humbly Shewing That where the Petitioners Lands and Eſtate of Robertland were in the perſon of the deceiſt Corſhill in truſt conform to a back bond whereby He oblidged Himſelf and his airs to denude in favors of any perſon or perſons that the deceiſt Earle of Rothes then Lord Chancellour, William Duke of Hamilton, the Earle of Dundonald, Lord Cochran, Lord Roſs Sir John Cuningham, and John Cuningham of Enterkine or moſt part of them on life for the time ſhould deſigne and appoint upon which Back bond the Duke of Hamilton and Enterkine who Survived the reſt of the said Truſties Did raiſe a declarator befor the Eſtates of Parliament againſt this Corſhill and his Creditors for Declaring the said truſt and Decerning him to denude and alſo againſt Mr David Cuninghame advocat for reduceing the gratuitous Diſpoſitions and bonds impetrat by him from the deceiſt Sir Alexander the Petitioners father, Dureing which dependance the said John Cuninghame of Enterkine the longeſt liver of the ſaid truſties did by a Writt under his hand nominat and appoint the Petitioner to ſucceed in the forſaid Eſtate Likeas for recovery of the said Nomination the Complainer applyed to the Honourable Eſtates of Parliament in the year Ic vjc and ninty five And this affair being remitted to the Committie for Privat affairs It was the opinion of the Committie after a full hearing of both Parties That the forſaid Nomination ought to be given up by Hugh Cuninghame the haver of it to the Petitioner as his own proper evident And that the forſaid Back band ought to be Regiſtrat Reſerving to the Petitioner his Reduction againſt the Creditors of Corſhill as accords as the Committees ſubſcrived Report produced with the ſaid Petition teſtifies And ſeing that in complyance with the ſaid opinion of the Committee Hugh Cuningham is content to deliver up to the Petitioner the forſaid Nomination As alſo that the Back bond is in the Clerks hands ready to be Regiſtrat The Petitioner muſt in the firſt place humbly Supplicat His Grace and their Lordſhips, That the forſaid report may be approven and Hugh Cuningham ordained to deliver to the Petitioner the forſaid Nomination and that the ſaid Back bond be appointed to be Regiſtrat as ſaid is And in the nixt place that the Petitioners title being thus Compleated the ſaids Creditors of Corſhill and Mr David Cuningham may be ordained to anſwer to the forsaid declarator and Reduction wherein the Petitioner has now right to inſiſt and that a ſhort day may be appointed them for that effect But becauſe it is alſo moſt certain & nottour how unjuſtly the forſaid Creditors of Corſhill do pretend to the Petitioners Eſtate of Robertland and how hardly the Petitioner hath been and is uſed by the ſaid Mr David Cuningham who not onely did impetrat bonds and diſpoſitions for juſt nothing from the Petitioners old father to the Petitioners prejudice as his fathers declaration on death bed produced with the ſaid Petition teſtifies But hath alſo taken a ſham Diſpoſition and infeftment of the Petitioners eſtate from Corſhill whom he knows to have no right therto And farder hath inſtigate ſome of the Petitioners Creditors to throw him in Priſon notwithſtanding that the greateſt part of them do conſent to his Liberation as likewayes having got a factor of his own chooſeing one James Hay nominat for the Petitioners eſtate They togither do ſo manage that albeit when the Petitioner was at liberty he did Pay his ärents and part of Principall ſoumes as he inſtantly Inſtructs yet now not only the Petitioner himſelf is Excluded wholly from his eſtate but his Creditors for years and terms have got no ärents and the said factor hath at leaſt two years Rent of the Petitioners eſtate in his hands uncounted for All which hardſhips being ſo unjuſt and griveous and the Petitioner therby reduced to ſo great extremity and he haveing for certain much more Eſtate then will pay all his debt He now in all humility implores His Grace and their Lordſhips help and relief and that upon the juſt grounds above repreſented and conform to what is uſuall in ſuch Caſes that they would modifie to the Petitioner a competent aliment out of his own eſtate and ordain the forſaid James Hay the factor as alſo the Tennents and Poſſeſsors to pay to the Petitioner the aliment modified at ſuch terms and in ſuch a manner as His Grace and their Lordſhips ſhould appoint That the Petitioner may not be left to ſtarve and periſh in the Proſecution of his ſo juſt and clear claime depending befor this honourable Parliament as the said Petitione bears Which being upon the twelvth day of September inſtant preſented to His Majeſties High Commiſsioner and the Eſtates of Parliament They by their Deliverance written theron ordained the Petitioners Creditors to ſee and anſwer the ſamine againſt Thurſday then nixt And the ſamen Petition being this day Conſidered by his Majeſties High Commiſsioner

and the Eſtates of Parliament and there being no anſwers therto They have approven and hereby approves of the Report of the Committee for Privat affairs of the tenth day of July I^m vj^c and ninty five And have ordained and hereby ordains the Nomination to be given up to Robertland and the Back band to be Regiſtrat reſerveing to Robertland to perſue his Reduction againſt Corſhills Creditors befor the Lords of Seſsion

[Earl of Seaforth against Dempſter of Pitliver]

PETITION the Earle and Counteſs of Seaforth againſt Sir John Dempſter of Pitliver read and Pitliver ordered to ſee and anſwer againſt to morrow

THE Committees appointed to meet to morrow ag^t nine a clock in the uſuall places

THEN the Lord Chancellour by order of his Maties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenone

SEPTEMBER XXV, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read.

MOVED. that the ordaining the Petition of the Earle and Counteſs of Seaforth to be ſeen and anſwered by Pitliver do not import a liſt of execution in the mean time which was aggried to

[Nomination of Tutors & Curators]

ACT allowing the nomination of Tutors and Curators with ane Exemption from omiſsions or being lyable conjunctly and ſeverally in ſolidum read, and after some amendments it was voted and approven

[Tutors & Curators Accompts]

ACT Limiting the Preſcription of Tutors & Curators accompts read and after some amendments it was voted and approven

[Act anent paſsing of Laws]

ACT concerning the order to be obſerved in Parliament in makeing and paſsing of Laws read and after ſome debate and amendments the vote ſtated approve or amend, and carried approve.

[Fraud of Appearand heirs]

ACT for Explaining a clauſe of the twenty fourth act of the fifth Seſsion of this current Parliament entituled act for obviating the fraud of appearand airs read; and after ſome debate it was put to the vote approve the ſame or not, and it carried in the affirmative..

ACT of Supply. Act for ane additionall Exciſe. Act appointing the Aſsociation to be Subſcrived by all Perſons in publict truſt. Act regulating deeds done on death bed. Act Declaring nottour Bankrupt. Act for Selling of meal by weight. Act allowing the Vending of Rum. Act anent the Nomination of Tutors and Curators. Act of Preſcription touching Tutors and Curators accompts. Act that no Law paſs at the firſt reading touched with the Scepter by his Majeſties High Commiſsioner in the uſuall forme

[Acts touched with the Scepter]

ACT anent the Supply of Eighteen Moneths Ceſs upon the Land Rent

THE Estates of Parliament considering the State of the long continueing warr, wherin his Majeſtie and His Kingdomes are ſo neceſsarly engaged, as alſo the preſent Poſture and Condition of this Kingdome and of the forces therin kept up for its defence and security all which require new Supplys for their maintainence, Do therfor humbly and cheerfully for themſelves and in name of this Kingdom whom they Repreſent Make offer to His Majeſtie of a supply of Twelve hundred fourſcore Sexteen thouſand pounds extending to Eighteen months Ceſs; Which new Supply is to be raiſed and uplifted out of the Land rent of this Kingdom in the ſame manner and conform to the Proportions of the Shyres and Burghs contained in the Sixth act Second Seſsion and the Seventh act fifth Seſsion of this current Parliament. Dated the Seventh of June one thouſand Six hundred and ninty years and Twenty of June one Thouſand ſix hundred and ninty five years Provideing allwayes that the Proportions of Burghs be rated and payed as their taxt roll now is, or ſhall be ſettled by themſelves And this Supply to be payed at the termes following viz. Two moneths Ceſs at the term of Martinmaſs one Thouſand Six Hundred and ninty Six and two moneths Ceſs at the term of Candlemaſs one thouſand Six Hundred and ninty Seven, other two moneths Ceſs at the term of Whitſunday one thouſand Six Hundred and ninty Seven and other two moneths Ceſs at the term of Lambaſs one thouſand Six Hundred and ninty Seven And other two moneths Ceſs at the term of Martinmaſs I^m vj^c and ninty Seven And two moneths Ceſs at the term of Candlemaſs One thouſand Six Hundred and ninety eight and other two moneths Ceſs at the term of Whitſunday one thouſand ſix Hundred and ninty eight and other two moneths Ceſs at the term of Lambas one Thouſand Six Hundred and ninty Eight and two moneths Ceſs at the term of Martinmaſs one thouſand Six Hundred and ninty eight being the Sume of one Hundred and fourty four thouſand pounds at each of the ſaid nine termes And His Majeſtie conſidering that this Supply is granted for 1

ſuch a neceſsary uſe Doth with advice and conſent of the Eſtates of Parliament Declare that no perſon or perſons ſhall be Exempted from payment of their Proportions of this Supply for their Lands upon any pretext whatſomever excepting mortified Lands and the Lands of Newmilnes belonging to the Woolen manufactory there, for which mortified Lands and the Lands of Newmilnes Deduction is to be allowed in the Quota of the reſpective ſhyres notwithſtanding of any former Law Priviledge or Act of Parliament in the contrair And His Majeſtie with advice and conſent forſaid Doth Nominat and appoint the ſame perſons who were named in the forſaids Acts of Parliament who are alive and have qualified themſelves according to Law or ſhall qualifie themſelves betwixt and the firſt Teuſday of November nixt to come And ſuch others as ſhall be nominat in this preſent Seſsion of Parliament to be Commiſsioners for ordering and uplifting this Supply With the ſame Power to them to choiſe their own Clerk and to do every thing that may concern the said Supply as is preſcrived and appointed by the saids acts holding the ſame as repeated herein. And ordains the ſame Execution to paſs for inbringing therof as is provided by the saids acts in all points And ordains the firſt meeting of the ſaids Commiſsioners for the Shyres to be at the reſpective head Burghs therof the laſt Teuſday of October nixt to come And requires the Sheriffs and Stewarts or their Deputs to intimat the ſame to the Commiſsioners of the reſpective Shyres and Stewartries With power to them to appoint the ſubſequent diets of meeting and their Conveener from time to time and als to appoint Collectors with ſufficient Caution as they ſhall think fit, And committs to His Majeſties Privy Councill upon the Death or not acceptance of any of the Commiſsioners of Supply appointed by this act to nominat and appoint others in their places and to add ſuch other perſons to be Commiſsioners as they ſhall think fit And His Majeſtie with advice and conſent forſaid does declare that all clauſes contained in the former Acts of Parliament and Convention of Eſtates in relation to the inbringing of the Ceſs and Quartering and anent Rideing money ſhall ſtand in full force as to this Supply now impoſed in the ſame manner as if they were inſerted herein Except in ſo far as theſe acts of Parliament or Convention are innovat or altered by the forſaid Sixth and Seventh acts of the second and fifth Seſsion of this current Parliament And it is hereby declared that no perſons lyable in payment of this Supply ſhall be holden to produce their Diſcharges nor Recepts of the ſame after three years from the reſpective terms of Payment unleſs Dilligence be done by Denunciation before elapſeing of the ſaids three years And becauſe by the Supply hereby granted the Land rent and Burghs of this Kingdom are only burdened And it being juſt that the perſonall Eſtates in money ſhould bear ſome Proportion of the Burden Therfor His Majeſtie with advice and conſent forſaid Statutes and Ordains That every Debitor owing money within the Kingdom at Six per Cent. of intereſt ſhall in the Payment of his ärents for one year and a half have Retention in his own hands of one of Six per Cent. of the said ärents And this Retention to be for the said year and a half viz. from Martinmaſs in the year one thouſand Six Hundred and ninty Six to the term of Whitſunday one thouſand ſix Hundred & ninety eight And it is hereby Declared that it ſhall be uſury for any Creditor not to grant the said Retention As alſo it is further Declared that nothing in this act ſhall prejudge Manufactories of any Priviledge of Exemption they have by Speciall Acts of Parliament.

FOLLOWES the Quota of Supply, payable monethly by the ſeverall Shyres of the Kingdom

The Sheriffdom of Edinburgh the ſoume of Three thouſand one hundred and eighty three Pounds eight ſhilling Scots money monethly

The Sheriffdom of Haddingtoun the ſoume of Two thouſand Seven Hundred and eighty two pound Six ſhillings

The Sheriffdom of Berwick the ſoume of Two thouſand Eight Hundred and thirteen pounds one ſhilling

The Sheriffdom of Roxburgh, the ſoum of Three thouſand Six Hundred and eighty ſix pounds Seventeen ſhillings ſix pennies

The Sheriffdom of Selkirk the ſoum of nine Hundred and four pounds, nine ſhillings

The Sheriffdom of Peebles the ſum of one thouſand and fourty two pounds eight ſhillings

The Sheriffdom of Lanerk the ſum of Three thouſand and ninty one pounds twelve ſhillings

The Sheriffdom of Dumfreis the ſum of two thouſand ſeven Hundred and twelve pounds ſeventeen ſhillings

The Sheriffdom of Wigton the ſum of one thouſand and four pounds fifteen ſhillings

The Stewartry of Kirkcudbright the ſum of one thouſand Six Hundred and Seventy four pounds Eleven ſhillings

The Sheriffdom of Air the ſum of three thouſand Eight Hundred and Seventy pounds five ſhillings

The Sheriffdom of Dumbarton the ſum of Seven Hundred and Sixty four pounds ten ſhillings

The Sheriffdom of Bute the ſum of three hundred & eight pounds eight ſhillings and eight pennies

The Sheriffdom of Renfrew the ſum of one thouſand and three Hundred and fifty three pounds ſeven ſhillings

The Sheriffdom of Stirling the ſum of one thouſand Seven hundred and fifty four pounds four ſhillings and ſix pennies

The Sheriffdom of Linlithgow the ſum of one thouſand one Hundred and Sixty nine pounds eighteen ſhillings

The Sheriffdom of Perth the ſum of five thouſand and thirty eight pounds fourteen ſhillings

The Sheriffdom of Kincairdin the ſum of Nine Hundred and eighty four pounds one ſhilling

The Sheriffdome of Aberdeen the ſum of four thouſand and Seventy ſeven pounds nineteen ſhillings

The Sheriffdom of Inverneſs the ſum of one thouſand two Hundred and thirteen pounds one ſhilling and ſix peſnies

The Sheriffdom of Roſs the ſum of one thouſand one Hundred and thirty one pounds ſix ſhillings

The Sheriffdom of Nairn the ſum of two Hundred and Seventy Seven pounds Sixteen ſhillings

The Sheriffdom of Cromarty the ſum of two Hundred and fourteen pounds

The Sheriffdom of Argyle the ſum of one thouſand nine Hundred and fourty ſeven pounds ten ſhillings and nine pennies

The Sheriffdom of Fyfe and Kinroſs the ſum of five thouſand one Hundred and ſeventy two pounds

The Sheriffdom of Forfar the ſum of three thouſand two Hundred and ſeventy three pounds fifteen ſhillings

The Sheriffdom of Bamff the ſum of one thouſand one Hundred and fifty pounds four ſhillings

The Sheriffdom of Sutherland the ſum of three hundred and thirty ſix pounds

The Sheriffdom of Caithneſs the ſum of five hundred and ninty nine pounds five ſhillings

The Sheriffdom of Elgine the ſum of one thouſand and fifty nine pounds five ſhillings

The Sheriffdom of Orknay and Zetland the ſum of one thouſand & eighty eight pounds ten ſhillings

And the Sheriffdom of Clackmannan the ſum of three Hundred and fifty two pounds Seven ſhillings and three pennies all Scots money

FOLLOWES the Quota of the Supply, payable monethly by the ſeverall Burghs of the Kingdom.

The City of Edinburgh the ſum of three thouſand eight hundred and eighty pounds Scots monethly

The Burgh of Perth the ſum of three Hundred and Sixty pounds

The Burgh of Dundee the ſum of five hundred and Sixty pounds

The City of Aberdeen the ſum of Seven hundred and twenty ſix pounds

The Burgh of Stirling the ſum of One hundred and Seventy two pounds

The Burgh of Linlithgow the ſum of one hundred and fifty ſix pounds

The City of St Andrews the ſum of ſeventy two pounds

The City of Glaſgow the ſum of one thouſand and eight hundred pounds

The Burgh of Air the ſum of one hundred and twenty eight pounds

The Burgh of Haddingtoun the ſum of one hundred and ninty two pounds

The Burgh of Dyſart the ſum of thirty pounds

The Burgh of Kirkaldie the ſum of two hundred and eighty eight pounds

The Burgh of Montroſe two hundred and fourty pounds

The Burgh of Coupar one hundred and eight pounds

The Burgh of Anſtruther Eaſter eighteen pounds

The Burgh of Dumfreis the ſum of two hundred and thirty pounds

The Burgh of Inverneſs the ſum of one hundred and eighty pounds

The Burgh of Burntiſland the ſum of seventy two pounds.

The Burgh of Inuerkeithing the ſum of thirty pounds

The Burgh of Kinghorn the ſum of fourty two pounds

The Burgh of Breichen the ſum of fifty four pounds

The Burgh of Irvine the ſum of Sixty pounds

The Burgh of Jedburgh the ſum of one Hundred and two pounds

The Burgh of Kirkcudbright the ſum of thirty ſix pounds

The Burgh of Wigtoun the ſum of thirty ſix pounds

The Burgh of Dumfermling the ſum of Ninety pounds.

The Burgh of Pittinweem the ſum of thirty pounds

The Burgh of Selkirk the ſum of Seventy two pounds

The Burgh of Dumbarton the ſum of thirty pounds

The Burgh of Renfrew the ſum of thirty ſix pounds

The Burgh of Dumbar the ſum of ſixty pounds

The Burgh of Lanerk the ſum of ſixty pounds

The Burgh of Aberbrothock the ſum of fifty four pounds

The Burgh of Elgine the ſum of one hundred & thirty eight pounds

The Burgh of Peebles the ſum of ſixty ſix pounds

The Burgh of Craill the ſum of thirty ſix pounds

The Burgh of Tayne the ſum of thirty pounds

The Burgh of Culroſs the ſum of twenty four pounds

The Burgh of Bamff the ſum of fourty two pounds

The Burgh of Whitehorn the ſum of eight pounds

The Burgh of Forfar the ſum of twenty four pounds

The Burgh of Rothſay the ſum of thirty pounds

The Burgh of Nairn the ſum of nine pounds

The Burgh of Forres the ſum of twenty four pounds

The Burgh of Rutherglen the ſum of twelve pounds

The Burgh of Northberwick the ſum of Six pounds

The Burgh of Anſtruther Weſter the ſum of ſix pounds

The Burgh of Cullen the ſum of eight pounds

The Burgh of Lauder the ſum of thirty pounds

The Burgh of Kintore the ſum of nine pounds

The Burgh of Annand the ſum of twelve pounds

The Burgh of Lochmabben the ſum of eighteen pounds

The Burgh of Sanquhar the ſum of ſix pounds

The Burgh of Newgalloway the ſum of ſix pounds

The Bugh of Kilreny the ſum of eight pounds

The Burgh of Fortroſe the ſum of eighteen pounds

The Burgh of Dingwall the ſum of eight pounds

The Burgh of Dornoch the ſum of eighteen pounds

The Burgh of Queenſferry the ſum of fifty four pounds

The Burgh of Inverary the ſum of twenty four pounds

The Burgh of Inverury the ſum of twelve pounds

The Burgh of Week the ſum of twenty pounds

The Burgh of Kirkwall the ſum of Seventy two pounds

The Burgh of Inverbervy the ſum of ſix pounds

The Burgh of Stranraer the ſum of twelve pounds

Mr John Buchan agent for the Burrowes to make up the Quota for the Burrows one thouſand two Hundred pounds Scots

FOLLOWES the Commiſsioners of Supply given in by the Noblemen and Commiſsioners for the ſeverall Shyres as was ordered in Parliament

For the Shire of Edinburgh

Baillie Calderwood, James Deans of Woodhouſlie, Watt of Roſehill, Alexander Gibſon of Broomhill, Mr David Pittcairn of Dreghorn Mr George Alexander of Peppermiln Sir James Stewart of Goodtrees Lord Advocat, Jaſper Johnſtoun of Wariſtoun Laird of Bavela, Laird of Lymphoy, Turnbull of Currie.

For the Shyre of Haddingtoun

Robert Sinclair younger of Lochend, James Hamilton of Hedderwick, Hay of Lethem Sir George Broun of Colſtoun Sydeſerf of Colledgehead, the Laird of Dryburnfoord younger the Laird of Humby younger Sir James Hall of Dunglaſs the Laird of Fountainhall younger

For the Shire of Berwick

Sir James Hall of Dunglaſs, Patrick Hume of Reſtoun Sir George Lauder of Idingtoun John Belſhes of Tofts George Hume younger of Wedderburn, William Hog younger of Harcars, Alexander Cockburn of Ladykirk, Walter Hume younger of Baſsenden, George Hume of Kaims Major Cockburn in Dunce Craw of Netherbyers William Cockburn of Caldraw Dickſon of Belcheſters Andrew Hume of Burnhouſes Mark Ker of Hourdwood, the Baillie for the time being of the Bailliary of Lauderdale.

For the Shire of Roxburgh

Lord Cranſtoun, Sir Gilbert Elliot of Heidſhaw James Scott of Galla, Mr William Simpſon of Sharplaw, William Cairncroſe of Langlie, Major James Murray of Chirretrees, William Ker of Newtoun Douglaſs of Bonjedburgh William Douglaſs of Cunziartoun Robert and Archbald Bennets elder and younger of Cheſters, Robert Scott of Haſsenden Francis Scott of Newtoun, and William Scott of Burnhead.

For the Shire of Peebles

William Douglaſs of Garwelfoot younger.

For the Shire of Lanerk

Lord John Hamilton, the Laird of Lee, the Laird of Stonebyres, John Sinclair younger of Stevenſtoun Archbald Hamilton of Haggs Alexander Meinzies younger of Culteraws Thomas Inglis of Murdingſton the Laird of Breadiſholm younger, the Laird of Garnkirk, John Crauford of Milntoun William Meinzies of Sornfalla, William Lockhart of Wicketſhaw John Hamilton of Elderſhaw, John Broun of Cultermains William Lockhart of

Birkhill, Mr Robert Somervell of Woolfrods Claud Mcmorron of Glefpen Major James Weir of Kirkfield, Archbald Nifbet of Carfin Robert Hamilton younger of Wifhaw, Sir John Shaw of Greenock John Colquhoun younger of Kenmuir John Wardrop of Eafterhorn John Stark of Auchinvole, James Hamilton of the Green, Robert Cuninghame of Gilbertfield younger, James Hamilton of Blantyrferme, Gavin Hamilton of Hill

For the Shire of Dumfreis

James Duke of Queenfberry William Earle of Annandale John Earle of Carnwath Sir Alexander Jarden of Applegirth, Sir Thomas Kilpatrick of Clofburn Thomas Kilpatrick of Clofburn younger Sir James Johnftoun of Weſteraw, Sir Robert Laury of Maxweltoun, the Laird of Kellhead younger the Laird of Dornock, the Laird of Hollmains the Laird of Craufordftoun the Laird of Elfhiefhiells the Laird of Capinoch, the Laird of Carnfalloch the Laird of Craigs the Laird of Weſteraw younger the Laird of Lockerbie the Laird of Drumcrieff the Laird of Dormont the Laird of Breadkirk the Laird of Enoch the Laird of Eccles, the Laird of Grantoun the Laird of Dalfwinitoun, the Laird of Cowhead, the Laird of Midlebee Mr David Douglafs advocat Sheriff depute of Dumfreis the Laird of Coliftoun the Laird of Barjarg the Laird of Crogland younger Mr Alexander Fergufon of Isle advocat the Laird of Waterfide James Grierfon of Dalgoner Mr John Cuninghame of Birkfhaw Tutor of Craigdarroch the Laird of Caitloch the Laird of Hoddom the Laird of Frierfhaw, James Kirk of Bogrie Robert Maxwell of Steilftoun James Scott of Johnftoun Elliotts elder and younger of Arkletoun Mr John Laing of Weſterkeir the Dutches of Buccleughs Baillie and Chamberland for the time William Douglafs fon to Archbald Douglafs of Fingland George Johnftoun of Girthead, William Johnftoun of Beirholm

For the Shire of Air

Mr John Campbell of Shankftoun Mr Allan Cathcart son to the Mr of Cathcart the Laird of Perftoun younger, the Laird of Shewaltoun the Laird of Carlung John Cuningham of Caddell, John Montgomery of Brigend George Montgomery of Bridgeend younger Hugh Muir of Auchingrain.

For the Shire of Dumbartoun

The Earl of Argyle, My Lord Wigtoun My Lord Boyd, Kilburnie, Kilmaronock, Houſtoun Lufs Archibald Maulay of Ardincaple Nicol and Robert Bunteins of Airdoch, the Laird of Macfarlane the Laird of Carrick Hamilton of Barns John Douglafs of Mains, Commifsar Smollet Coline Campbell of Ardintainie William Colquhoun of Craigtoun John Spruel of Milnetoun Alexander Gartfhore of Gartfhore John Carmichael Chamberland to the Earl of Wigtoun Hugh Craufurd of Cloberhill John Colquhoun of Midletoun John Buntein of Gilftoun, John Whitehill of Keppoch the Laird of Garfcaden Walter Buchanan of Auchintoſhan

For the Shire of Bute

The Earl of Argyle Boyl of Kelburn Hector Bannatyne of Kainfs Mr Robert Stewart advocat uncle to the Sheriff of Bute the Lairds of Afcog elder and younger the Laird of Kilcattin John Campbell Captain of Dunoon Patrick Campbell of Kilmichael Ninian Bannatine of Kirrelamont Robert Bannatine younger of Lubas James Boyll of Bellikeun Doctor William Stewart of Ambrifmore Neil Bannatine of Ambriefmore Bannatine of Gleiknebees Stewart of Ardfcapfie Mcilcherrane of Ardfcapfie, Gildow Maca of Garachtie James Mackonochie of Ambrieſbeg Mcpherſon of Kiretonlay Mckirdyes elder and younger of Kirremenock the young Barron of Leniwhilling.

For the Shyre of Renfrew

Sir William Stewart of Caſtlemilk the Laird of Blackhall younger, Archbald Bannatine of Kellie William Cuningham of Cairncurrane Charles Stewart of Race, Sir William Semple Hamilton of Barr, the Laird of Kilburnie

For the Shire of Stirling

The Earle of Arran, the Earle of Argyle, the Earl of Mar, the Earle of Buchan, the Earl of Wigtoun the Lord Elphingſton Livetennant Collonell John Ereſkine the Laird of Polmais the Laird of Touch, Sir Alexander Hope of Kerſe Sir Alexander Monro of Bearcrofts James Livingſtoun of Weſtquarter George Stirling of Herbertſhire Rollo of Powhouſe, the Laird of Gargunnock the Laird of Boquhan Alexander Naper of Culcreuch John Erſkine of Balgounie Henry Rollo of Woodfide William Livingſtoun of Greenyeards John Cuninghame of Ballandalloch, John Callendar of Craigforth James Graham of Bochlyvie William Broun of Seabegs Sir John Erſkine of Alveth Robert Gourlay of Kipdarroch John Buchannan of Carbeth Leckie of Duſchers Moir of Leckie John Lennox of Woodhead elder William Lennox of Woodhead younger Kincaid of that ilk George Lindſay of Boquharadge Glaſs of Sauchy the Lairds of Bannockburn elder and younger Alexander Colquhoun of Glenns Naper of Bellakincairn the Laird of Carden Mr Thomas Naper of Bellichairn the Laird of Quarrell the Laird of Kinnaird the Laird of Luſs John Hamilton of Pardowie Row of Inuerallan the Laird of Greenock the Laird of Mochrum Sir John Houſtoun of that ilk Charles Bennet of Eaſter Levilands Murray of Weſter Levilands John Wordie of Torbrex Burnet of Craigie Graham of Killern

Buchanan of Ampryor David Graham of Meiklewood Forſyth of Garvell John Chriſtieſon portioner of Cornetoun James Galbraith of Balgair the Lord Forreſter the Laird of Bedlormie George Buchanan of Bellachrum Thomas Buchannan of Boqhan John Buchanan of Craigievairn Walter Buchannan of Balfinning John M^c^lauchlan of Auchintoig Duncan Buchannan of Harperſtoun John Forreſter of Pardovan David Forreſter of Denovan John Cuthill of Stoniewood James Rankine of Balmilzear Thomas Crauford of Manuelmilne John Campbell younger of Dowan Robert Forreſt of Bankhead Robert Hay of Candee Archbald Naper of Bankel, John Roſs of Neuck

For the Shyre of Linlithgow

Sir William Hamilton of Whitelaw Henry Sinclair of Carlourie Mr Robert Stewart of Weſtbinnie advocat Andrew Paterſon of Kirktoun Thomas Dalziel younger of Bins James Hamilton of Bangour the Laird of Blackcraig

For the Shire of Perth

The Earl of Buchan the Earl of Northeſk the Laird of Menſtry Patrick Murray of Dollary James Herron of Callie Alexander Blair of Corbs Alexander Robertſon of Faſcallie Captain James Meinzies tutor to the Laird of Weym Sir William Preſtoun of Valleyfield Sir Thomas Murray of Glendoick Mr William Erſkine governour of Blackneſs Mr John Erſkine of Carriden the Laird of Monzie the Laird of Ednample younger Mr James Drummond of Comry John Drummond of Newtoun the Laird of Leuchat Coline Campbell of Lochlane David Murray of Arbeny James Campbell of Clathick Andrew Murray of Murrayshall John Mitchell of Byres Robert Taylour of Auchinbannald Mungo Buchannan of Hiltoun Alexander Robertſon of Craig John Williamſon of Barnhill John Buchannan younger of Torry Lauchlan M^c^Intoſh tutor of Dalmungo Stewart of Ladywell Thomas Whitſon portioner of Rattray Hugh Hay of Paris Hay of Gourdie Duncan Campbell of Tunnevies

For the Shire of Kincairdine

Thomas Burnet younger of Glenbervie George Crichtoun of Cluny, Collonell James Fergusſon of Kirktounhill.

For the Shire of Aberdeen

The Earl of Mar and his Baillies of Braemar and Kildrimmie the Lord Pitſligo, the Laird of Drum, Alexander Forbes of Ludquharn Mr John Innes of Gunhard Forbes of Auchmacoy Mr James Fergusſon of Baddifurrow Arthur Forbes younger of Brux William Hay of Balbithen Arthur Forbes of Pittintagart John Forbes of Forbeſtoun John Gairden of Midſtrath George Forbes of Skellator Buchan younger of Auchmacoy Andrew Logie of Loanhead Alexander Strachan of Tillhaickie

For the Shire of Inverneſs

Robert Grant of Garthinmore

For the Shire of Nairn

George Brodie of Aſſiſk

For the Shire of Argyle

The Sheriff Deput for the time, the young Laird of Lochiel Campbell younger of Craignish Stewart of Appin Macklean younger of Lochbuy

For the Shire of Forfar

The Earl of Northeſk the Earle of Strathmore Robert Reid of Baldivie Patrick Scot younger of Roſsie James Scot of Uſan Robert Scott of Dunnienald James Durham of Grange John Scott of Hedderwick Robert Milne of Balwillo Lyell of Carſe

For the Stewartry of Kirkcudbright

The Laird of Troquhain younger the Laird of Dundeoch the Laird of Dullord the Laird of Auchinſhinoch the Laird of Mollens younger the Laird of Coole the Laird of Crafts the Laird of Toris the Laird of Garrach William Stewart younger of Caſtleſtewart William Mackguffock younger of Ruſcoe Andrew Herron of Bargaillie

For the Stewartry of Orkney & Zetland

For Orkney

Robert Stewart of Newwark Thomas Buchannan of Sandſide, James Graham of Grahamſhall James Baikie of Tankerneſs Henry Graham of Brackneſs John Stewart of Brough Alexander Douglaſs of Eagleſhay Hugh Baikie of Burneſs Patrick Bellenden Tutor of Stonehouſe William Craigie of Gairſey

For Zetland

Laurence Sinclair of Queendale Andrew Bruce of Mouneſs Laurence Stewart of Bigtoun George Chein of Eſlamonth Mr William Niven of Windhouſe James Scot of Voſgairth Andrew Mowat of Gairth Patrick Leſly of Uſtaneſs John Giffard of Buſta John Bruce of Aith William Henderſon of Gairdie James Mitchell of Girlſtaw Andrew Bruce of Brewick

For the Shyre of Clackmannan

The Earl of Mar the Laird of Alva, the Laird of Menſtrie Livtennant Collonell Bruce of Kennet Mr Alexander Abercrombie Charles Cragengilt of Woodſide

For the Shyre of Roſs

The Laird of Kilraick, Sir Adam Gordon of Dallfolly

ACT for an Additionall Excise

THE Estates of Parliament Considering that in order to the maintaining the present standing forces for the necessar defence of the Kingdom and for buying Arms and Ammunition and for repareing of the Castles and Forts of this Kingdom and the maintaining of the frigats and Cruisers for defending the coasts it is requisite that ane additional supply be given besides the eighteen moneths cess already granted in this present Session of Parliament Do therfor for the said Supply and over and above the Excise of three pennies upon the pint of ale and bear browen to be vented and sold and the Excises upon strong waters and brandy and forraigne drinking bear annexed to the crown humbly and cheerfully offer to his Majestie ane additionall Excise of one penny upon the pint of ale and bear to be vended and sold makeing with the forsaid annexed Excise four pennies per pint; As also of one shilling upon each pint of aquavity and strong waters browen or made of malt to be vended and sold within the Kingdom; And likewayes ane additionall Excise of one shilling upon each pint of aquavity and strong waters browen not made of malt excepting what is made of wine, As also two shilling upon each pint of Brandie and ten shilling upon every barrell of Mum and forraigne drinking beer and ale not exceeding twelve Gallons the Barrell imported within this Kingdom and that dureing the space of twelve moneths from the first of March in the year one thousand six Hundred and ninty seven to the first of March one thousand six Hundred and ninty Eight And therafter three pennies upon the pint of ale and beer to be vended and sold makeing with the said annexed Excise six pennies per pint As also three shilling upon each pint of aquavity & strong waters brown or made of malt to be vended and sold within this Kingdom As likewayes ane additionall Excise of three shilling upon the pint of aquavity and strong waters browen not made of Malt (excepting what is made of Wine) As also of three shilling upon the pint of Brandie and thirty shilling upon the said barrell of Mum beer and forraigne drinking beer and ale imported within this Kingdom and that during the space of another twelve moneth viz. from the first of March one thousand six hundred and ninty eight to the first of March one thousand six Hundred and ninty nine And His Majestie with advice and consent forsd Doth appoint the Payment of the said annexed and additionall Excises upon ale beer strong waters brandie and mum, and forraigne drinking beer or ale Extending as above to be made quarterly That is for the first three moneths upon the first of June one thousand six Hundred and ninty seven and so furth quarterly the said two years that the said two Excises do Concurr And therafter the said annexed Excise to be payed at such terms as his Majestie and his Successors shall please to appoint And ordains the said additionall Excise upon ale and beer to be raised and uplifted from all brewars of the said Liquors brewen and made to be vended and sold as said is and the said Excise upon aquavity and strong waters and upon brandie and mum, and other forraigne drinking beer and ale to be raised and uplifted from all retaillers therof conform to the twenty eight act of the fifth Session of this current Parliament entituled Act for the annexed and additionall Excises and dated the twenty of June one thousand six hundred ninty five And the twenty first act of the same Session of Parliament Explaneing the act anent the Excise of Brandie which is hereby Extended to aquavity Strong waters and mum and Declared to be understood for hereafter of what is sold by retaillers and consumed immediatly in their taverns shops & cellars and the like or of what is sold out by them in pints and lesser measures And that for preventing of double Payments and that the saids Excises or Liquor may arise more equally It is Statute that dureing the concurring of the said two Excises the lowest price of ale or drinking beer to be brewed and vended and sold for hereafter shall in all burghs where the Burgh hath a particular imposition on malt or Liquors be twenty six pennies for the pint of the said first year viz. from the first of March Im vjc and ninty seven to the first of March one thousand six hundred and ninty eight to be payed by the buyer to the vender or tapster and for the said second year of the said additionall Excise viz. from the first of March one thousand six Hundred and ninty eight to the first of March one thousand six hundred and ninty nine That the said price be in all Burghs where the Burgh has ane particular Imposition on malt or liquor twenty eight pennies for the pint and in all other places both to Burgh and to Landward the price to be two shilling for the pint for both the saids years to be payed by the buyer to the vender and tapster as said is, With Certification that the ventner or tapster transgressing by selling under the saids rates shall be fined by the Commissioners of Excise appointed in manner after mentioned, in the soume of ten pounds Scots at the instance of any other brewar or other Complainer toties quoties to be applyed by the saids Commissioners to the informers within the respective shyres And farder be either put under sufficient soverty to observe this rule for hereafter or if he cannot find soverty Discharged to brew in time comeing And further His Majestie with advice and consent forsaid Doth hereby declare and enact That if any brewar in use to brew for sale and change shall give over brewing after the date of this act without an allowance in Writing from the Commissioners of Excise for good and seen causes the said Brewar shall not be permitted to

brew for change for the space of five years therafter but ſhall be and is hereby Diſcharged and Rendered incapable to do the ſame As likewayes it is hereby Statute and Ordained that no Perſon whatſoever who haveing a familie were not in uſe to brew for themſelves and their families in time bypaſt ſhall preſume to brew after the firſt day of March nixt to come for their own and their families uſe Certifieing the Contraveeners therof that they ſhall be lyable in payment of the value of what they ſhall brew contrary to this act And for the Raiſeing and Inbringing of the saids Exciſes His Majeſtie and Eſtates of Parliament Do hereby appoint and authorize the Commiſsioners of the New Supply appointed in ane other act of this preſent Seſsion of Parliament to be the Commiſsioners of Exciſe dureing the endurance of the saids two Exciſes for the severall ſhyres for the ends forſaids And the Royall Burghs to have the ſame number of Commiſsioners as was appointed by the fourteenth act of the Parliament one thouſand ſix Hundred and Sixty one Impowering them fully for that effect conform to the rules and orders formerly enacted for raiſeing and inbringing the former annexed Exciſe upon malt As alſo to be Judges to the entries of all brewars and the controll therof And generally to all queſtions ariſeing betwixt Tackſmen or Collectors and the said Brewars And that there be no quartering or other Execution for Exciſe at the firſt inſtance but by order of the said Commiſsioners With this Proviſion allwayes That if the Commiſsioners refuſe order for quartering or other Execution when duely required then it ſhall be lawfull to the saids tackſmen or Collectors to proceed upon their decreits and Warrands to quartering or other Execution without the said order as accords As likewayes to set down and cauſe obſerve ſuch other rules as they ſhall judge neceſsary agreeable allwayes to the Acts of Parliament already made about the forſd Exciſe Provideing that as to all Royall Burghs it ſhall be leiſum to the Collector or tackſman of the ſaid Exciſes who ſhall be for the time to bring two of the Commiſsioners of the ſhyre within the Bounds wherof the Burgh lyes to Sit and Judge with one of the Magiſtrates of the Burgh in all caſes competent to the saids Commiſsioners relative to the saids Exciſes which three Commiſsioners, or in caſe the Magiſtrat of the Burgh ſhall refuſe to concurr, the ſds two Commiſsioners for the ſhyre are hereby fully Impowered to the effect forſaid to Judge as ſaid is of the forſaids caſes Which three or in caſe the Magiſtrat ſhall refuſe to concur the other two are hereby fully impowered as above And his Majeſtie with Conſent forſaid does ordain the said Commiſsioners to meet the firſt Teuſday of January one thouſand ſix hundred and ninty ſeven nixt to come at the head Burgh of every ſhire reſpective And afterwards upon the firſt Teuſday of ilk moneth where they ſhall appoint And His Majeſtie and Eſtates of Parliament conſidering the advantadges of a greater Conſumption and better Liquor ariſeing from laying all Exciſes upon the Liquor and not upon the malt Do hereby ſpecially provide That if either Collector or farmer ſhall preſume to raiſe or levy the saids Exciſes upon the malt or otherwayes then upon the Liquor or to make either quarterly or weekly agreements or other Compact with the brewars in defraud of this Act he ſhall incurr the pain of ane Hundred merks toties quoties to be decerned and exacted by the saids Commiſsioners, or by the Lords of Privy Councill in caſe the Commiſsioners ſhall overlook the same As alſo that the Brewer aſsenting thereto or Complice therin ſhall incurr the pain of fifty merks and amitt and loſs the Liberty of Brewing Which fines are hereby appointed to be applyed to the party informer And it is hereby declared That if any Tackſman or Collector or other perſon ſhall collect any thing over and above his Exciſe for the Diſcharges thereof or for the discharge of any other Publict dues whatſomever, or refuſeing to give a diſcharge it ſhall be repute as oppreſsion and punished accordingly by the saids Commiſsioners who are hereby empowered to proceed againſt the perſons guilty As likewayes it is provided that in caſe of any tumultuary oppoſition happening in burghs to the saids Tackſmen and Collectors or their deputs in gathering and uplifting of the said Exciſe The Magiſtrats and Councill of the Burgh found negligent ſhall be lyable to repair the Tackſman or Collectors damnage at the ſight of the Lords of Privy Councill and to what farder fine the ſaids Lords ſhall think fitt to impoſe according to the degree of their negligence And for the Encourageing of Trade and Shipping His Majeſtie and Eſtates of Parliament Reſerve furth of this act for additionall Exciſe all ſhips beer put on board and drunk at ſea Provideing that the Quantity of the ſds ſhips beer and its putting on board be teſtified by a certificat under the hand of a perſon appointed by tackſmen or Collectors to goe along with the beer and ſee it put on board or at leaſt by ane Inſtrument of requiſition containing the ſaid Quantity taken therupon as alſo by the oath of the Brewar that furniſhed the ſame In which caſe and no otherwayes the said ſhips beer is declared to be free of the said Exciſe And His Majeſtie with advice and conſent forſd Ordains not only the forſaid Reſerve and Exception of Ships beer but alſo that all other Exceptions from paying of Exciſe to any priviledged Place Company or Corporation that are granted by Law be expreſsly ſet down and Excepted in all tacks to be set for hereafter by the Lords of Theſaury or Theſaurer and Theſaurer deput for the time of the saids Exciſes and that to the effect that no abatements may be hereafter craved by the tackſmen on the aforſaid Account. And laſtly His Matie with advice forſaid do autho-

rize and empower the Lords of Privy Councill to preſcrive ſuch other methods and orders as they ſhall judge neceſsary for the better uplifting and inbringing of the ſaid Exciſe And specially for cauſeing the same be raiſed and uplifted upon the Liquor and not upon the malt As alſo that it may be uplifted without putting the brewers to their oaths as much as poſsible

ACT appointing the Aſsociation to be Subscribed by all perſons in publict truſt

3 THE Estates of Parliament takeing to their Conſideration that the wellfare and ſafety of this Kingdom and the Reformed Religion doth nixt under God depend upon the preservation of his Majeſties royall Perſon and Government And that of late there has been moſt cruel and barbarous attempts made by some bloody Traitors and others his Majeſties enemies to aſsaſsinat his royall perſon. And Conſidering that the entering into ane Aſsociation may be ane effectuall means for obviating and preventing ſuch bloody and execrable practiſes in time comeing The Eſtates of Parliament did upon the tenth day of September inſtant freely and unanimouſly enter into and ſubſcribe the aſsociation Wherof the tenor followes

WE the Noblemen and Commiſsioners for Shires and Burrowes preſently aſsembled in Parliament underſubſcriveing Conſidering that there has been a horrid and deteſtable Conſpiracy formed and carried on by Papiſts and other wicked and traiterous perſons for aſsaſsinating his Majeſties Sacred Perſon in order to uſher in and facilitat a formidable and cruel invaſion from France to the ruine and extirpation of our Religion Laws and Liberties Do therfor heartily sincerely and solemnly Profeſs teſtifie and Declare that his preſent Majeſtie King William is Rightfull and Lawfull King of this Realm And We do mutually Promiſe and solemnly Engage and oblidge ourſelves to ſtand by and aſsiſt one another to the outmoſt of our Power in the Support and Defence of His Majeſties moſt Sacred Perſon and Government and of the true Proteſtant Religion againſt the late King James and the Pretended Prince of Scotland commonly called the Pretended Prince of Wales and all their adherents and againſt all forraigne invaſions or infeſtine inſurrections that ſhall be attempted or made to diſturb his Majeſties right and poſseſsion And in caſe His Majeſtie come to any violent or untimely death (which God of his infinite mercy avert) We Do hereby furder freely and unanimouſly oblidge ourſelves to unite aſsociat and ſtand by each other in revengeing the ſame upon all His Majeſties enemies and their adherents and in supporting and defending the Succeſsion of the Crown according to the Declaration of the Eſtates of this Kingdom

THERFOR His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes Enacts and Declares that the said Aſsociation so entered into and Subſcrived was and is and ſhall ſtand remain and be good and lawfull to all intents and purpoſes according to the true meaning intent and import of the ſame. And Statutes and Ordains that all perſons in publick truſts whither civil or military ſhall be oblidged to Subſcrive the forſaid Aſsociation Remitting to the Lords of His Majeſties Privy Councill to appoint the manner of Subſcriveing and dayes betwixt and which the forſaid perſons ſhall ſubſcrive as likewayes for reporting their Subſcriptions to the saids Lords of Privy Councill And alſo Declareing that ſuch as have already Subſcrived the ſaid Aſsociation ſhall not be oblidged to Subſcrive it again in the same truſt and capacity

ACT for regulateing Deeds done on death bed

OUR SOVERAIGN LORD Considering that 4
many queſtions have ariſen concerning deeds done on death bed For clearing wherof His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes and Ordains That it ſhall be a ſufficient Exception to Exclude the reaſon of Death bed as to all Bonds Diſpoſitions Contracts or other Rights that ſhall be hereafter made and granted by any perſon after the contracting of Sickneſs that the Perſon lived for the ſpace of threeſcore dayes after the makeing and granting of the ſaids deeds albeit dureing that time they did not go to Kirk and mercat but prejudice allwayes as of before to quarrell and reduce the saids rights and deeds if it ſhall be alleadged and proven that the Perſon was ſo affected by the Sickneſs the time of the doing of the saids deeds that he was not of ſound judgement and underſtanding As alſo but prejudice to the Lords of Seſsion to determine as to all Bands diſpoſitions contracts or other rights already made and granted in time of Sickneſs conform to the former Law and cuſtome

ACT for Declaring nottour Bankrupt

OUR SOVERAIGN LORD Considering that 5
notwithſtanding of the Acts of Parliament already made againſt fraudfull alienations by Bankrupts in prejudice of their Creditors yet their frauds and abuſes are ſtill very frequent Does therfor and for the better Reſtraining and obviating therof in time comeing with advice and conſent of the Eſtates of Parliament Statute and Declare That for hereafter if any Debitor under diligence by Horning & Caption at the inſtance of his Creditor be either impriſoned or retire to the Abbay or any other

priviledged place or flee or abſcond for his Perſonall Security or defend his perſon by force and be afterwards found by ſentence of the Lords of Seſsion to be inſolvent ſhall be holden and repute on theſe three joint grounds viz. Diligence by Horning and Caption and inſolvencie joyned with one or other of the said alternatives of impriſonment or retireing or fleeing or abſconding or forcible defending to be a nottour Bankrupt and that from the time of his forſaid impriſonment retireing fleeing abſconding or forcible defending Which being found by Sentence of the Lords of Seſsion at the inſtance of any of his Juſt Creditors who are hereby empowered to raiſe and proſecute a declarator of Bankrupt theranent His Majeſtie with Conſent of the Eſtates of Parliament Declares all and whatſomever voluntar diſpoſitions aſsignations or other deeds which ſhall be found to be made or granted directly or indirectly be the forſaid dyvor or Bankrupt either at or after his becomeing Bankrupt or in the ſpace of Sixty dayes of befor in favors of any of his Creditors either for their ſatiſfaction or farther Security in preference to other Creditors to be voyd and null Likeas it is declared that all Diſpoſitions Heretable Bonds or other heretable rights whereupon infeftment may follow granted by the forſaid Bankrupts ſhall only be reckoned as to this caſe of Bankrupt to be of the date of the Saſine lawfully taken theron but prejudice to the Validity of the said Heretable rights as to all other effects as formerly And becauſe infeftments for relief not only of debts already Contracted but of debts to be Contracted for thereafter are often found to be the occaſion or covert of frauds It is therfor farder declared That any Diſpoſition or other rights that ſhall be granted for hereafter for relieff or security of debts to be contracted for the future ſhall be of no force as to any ſuch debts as ſhall be found to be Contracted after the Saſine or Infeftment following on the said Diſpoſition or right but prejudice to the validity of the said diſpoſition and right as to other points as accords And laſtly His Majeſtie and the Eſtates of Parliament Do hereby Statute and ordain That if any Perſon ſhall for hereafter defraud his Creditors and be found by Sentence of the Lords to be a fraudulent Bankrupt the degree of his fraud ſhall alſo be determined by the ſame ſentence and the Perſon guilty not only held to be infamous Infamia Juris, but alſo be by them Puniſhed by Baniſhment or otherwayes (death excepted) as they ſhall ſee cauſe And the Lords of Seſsion are hereby Diſcharged to Diſpenſe any Bankrupt as to the habit unleſs in the Summonds and proces of Ceſsio the Bankrupts failing through miſfortune be lybelled ſuſtained and proven And this but prejudice of all former acts anent Bankrupts which are ſtill to ſtand in their full force.

ACT for Selling of Meal by weight

OUR SOVERAIGN LORD and the Eſtates of Parliament Conſidering the many abuſes committed in the meaſuring of meal in severall parts of this Kingdom And that theſe abuſes may be obviat by Selling of meal by weight Do for Remeid therof Statute and Ordain That from and after the firſt day of January nixt to come all ſorts of meal bought and ſold within this Kingdom ſhall be ſold and delivered by weight at eight ſtone Trois weight in place of the boll of Lithgow meaſure and ſo proportionally under the pain of Confiſcation of all meal ſold otherwayes then is hereby appointed and impriſonment of the Seller therof for a week toties quoties Declareing hereby That the meal so confiſcat ſhall immediatly belong to the firſt informer And requireing all Sheriffs Stewarts Bailies of Regalities Royaltys or Barronies all Magiſtrats of Royall Burrows Juſtices of Peace and all other Judges whatſomever to cauſe put this act to all due Execution againſt the Contraveeners within their reſpective Bounds Certifieing all ſuch Judges Magiſtrats or others forſaids who after due information therof ſhall neglect to Execute the ſame by Delivering the said meal to the firſt informer and impriſoning the ſeller in manner forſaid that they ſhall be lyable to the said informer in the double of the value of all meal which ſhall be ſold within their bounds otherwayes then is appointed by this act, Reſerveing their Relief from the particular tranſgreſsors in ſo far as extends to the ſingle value therof allenarly Likeas His Majeſtie with advice and conſent forſaid hereby Revives, Ratifies and Confirms all former acts made anent the sufficiency of meal and ordains the ſame to be put to all due Execution 6

ACT allowing the Venting of Rum

OUR SOVERAIGN LORD Conſidering that the act made in the fifth Seſsion of this preſent Parliament Diſchargeing the Venting of Rum within this Kingdom is now found to be very diſcourageing and prejudiciall to the Manufactories of Sugar works erected by Acts of Parliament And that the Vent therof within this Kingdom is regulat by acts of Exchequar Doth therfor with advice and conſent of the Eſtates of Parliament Reſcind Caſs and make void the forſaid act of Parliament Diſchargeing the venting of Rum as ſaid is in all time comeing 7

ACT anent the Nomination of Tutors and Curators

OUR SOVERAIGN LORD and the Eſtates of Parliament Considering that Tutors nominat by a father to his Children are perſons in whom he re- 8

poſeth the greateſt truſt and that the tutors nominat frequently decline the office being unwilling to ſubject themſelves to the hazards of Omiſsions of being oblidged in solidum each of them for others And likewayes Conſidering that the father can make a better choiſe of Curators for his Children who are minors then the minors could make for themſelves Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes and Ordains that it is and ſhall be lawfull for the father by ane act or deed in his leige pouſtie to make a nomination of ſuch Perſons as he thinks fit to be tutors and of ſuch Perſons as he thinks fit to be Curators to his Children dureing their Minority Containing this Proviſion and Quality That the ſaids Tutors or Curators ſhall not be lyable for Omiſsions but for their actuall intromiſsions with the means and eſtate deſcending from the father and other deeds of adminiſtration theranent And that each of them ſhall only be lyable for himſelfe and not in ſolidum for others And it is hereby Statute and ordained That the Tutors or Curators ſo nominat, ſhall not be lyable for Omiſsions but only for their actuall intromiſsions with the means and eſtate deſcending from the father and other deeds of adminiſtration theranent and that each of them ſhall only be lyable for himſelf and not in ſolidum for others And that the Curators named by the father accepting befor the Judge ordinary in the terms of their nomination ſhall have right to exerce the office dureing all the years of the minority; And it is hereby Declared that where the ſame Perſons are named by the father to be both Tutors and Curators it ſhall be lawfull and free for thoſe who ſhall accept and exerce the office of Tutory to decline or accept as Curators after the Pupillarity expires as they think fit Declaring allwayes that if the condition of any of the Tutors or Curators to be named with the qualities aſpeit ſhall change and become ſuch as any near relation to the pupil or minor ſhall think fit to repreſent the ſame to the Lords of Seſsion to the end after mentioned Then and in that caſe the saids Lords are hereby empowered upon the ſaid Complaint and a citation upon it without abideing the order of the Roll to ordain the forſaid Tutor and Curator upon ſuch reaſons as they ſhall find probable either to find good and ſufficient Caution for their adminiſtration, or to remove, and if He refuſe to Remove him And laſtly Provyding That nothing in this act ſhall liberat from or diſpenſe with the makeing of Inventars.

ACT of Prescription anent Tutors and Curators accompts

9 OUR SOVERAIGN LORD and the Eſtates of Parliament considering the great danger and hazard to which Tutors and Curators are expoſed by being ſubject to Compt and Reckonings to their Pupills and minors unleſs ſecured by the preſcription of fourty years after the majority of the saids Pupills and minors Therfor His Majeſty with the advice and conſent of the Eſtates of Parliament Statutes and Ordains that all actions of Compt and Reckoning competent to pupills and minors againſt their Tutors and Curators for makeing their accompts not perſued and inſiſted in within the ſpace of ten years after the majority of the saids pupills and minors or after their death they dying in their minority ſhall after that time preſcribe for ever And the ſaids Tutors and Curators and their Succeſsors ſhall be als fully Exonerat and Liberat as if the saids Pupills and Minors after their majority had fully and amply Diſcharged the same And Declares that the contrary action at the inſtance of Tutors and Curators againſt their Pupills and minors ſhall preſcribe in the same manner within ten years Declareing allwayes That this Preſcription ſhall not run againſt minors as alſo that all the forſaid actions already Raiſed or competent to be Raiſed by either of the saids Parties hinc inde ſhall in like manner Preſcribe within ten years after the date of this act

ACT that no Law paſs at the firſt reading

OUR SOVERAIGN LORD with advice and 10
conſent of the Eſtates of Parliament Statutes Enacts and Declares That any Law to be made for hereafter shall not be concluded and voted in that Sederunt in which it is firſt read but that the ſame ſhall ly on the table till another Sederunt that the Members of Parliament may conſider theron in the mean time.

PETITION for the officers of the Lord Jedburghs Regiment, as alſo the Petition for the ſeverall officers lately in his Majeſtices Service Remitted to the Committee for Security of the Kingdom [Officers of the Army]

PETITION for the Toun of Borrouſtounneſs Craveing a bridge to be built over the water of Aven; and for appointing a Contribution from ſome of the Neighbouring parochins for that effect remitted to the Committee for trade. [Toun of Borrouſtounneſs]

THE Committies appointed to meet to morrow at nine a clock in the forenone

THEN the Lord Chancellour by order of his Majeſties High Commiſsioner adjourned the Parliat till Munday at ten a clock in the forenoon

SEPTEMBER XXVIII, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

[Fourteen & seven shilling peices] ACT concerning the old fourteens and Seven ſhilling peices brought in from the Committee for trade again read and after ſome debate the Queſtion being ſtated approve of the act as it came from the Committee, or amend, it carried approve.

[Actions for aliments] DRAUGHT of an act regulating actions for aliments brought in from the Committee for Security of the Kingdom read and ordered to lye on the table till the nixt day

[Purchasers of Lands] OVERTURE for bringing in an act in favors of Purchaſers of Lands, read and remitted to the Committee for Security of the Kingdom

[Anent meeting of Parl[t] in caſe of the death of the King] DRAUGHT of an act for the meeting of the Parliament in caſe of the Death of the King (whom God preſerve) brought in from the said Committee, read and ordered with a clauſe to be added to it to lye on the table.

[Importation of Irish Victual] OVERTURE for reſtricting the act of Parliament againſt the importation of Iriſh victuall read and remitted to the Committee for trade

[Interruption of Prescriptions] DRAUGHT of an act for regiſtration of Summonds for interruption of Preſcription brought in from the Committee for Security of the Kingdom, read, and ordered to ly on the table

[Poor prisoners] OVERTURE for bringing in an act for mentaining of poor priſoners read and remitted to the said Committee

[Vicious Intromisions] OVERTURE for an act touching vitious Intromiſsion with moveables read and remitted to the said Committee

[Burgh of Greenlaw] ACT for Declaring the Burgh of Greenlaw, lying in the Sheriffdom of Berwick to be head Burgh of the same, read and ordered to lye on the table.

[Burghs of Regality & Barony] OVERTURE for bringing in an act in favors of the Burghs of Regality and Barrony Read and M[r] John Buchan agent for the Burghs Royall ordained to see the same againſt Wedenſday nixt

PROPOSALLS for the Stewartry of Orknay and Zetland Remitted to the Committee for trade [Orknay & Zetland]

OVERTURE for bringing in an act for the effectuall payment and inbringing of his Majeſties rents and revenues, remitted to the Committee for Security of the Kingdom [Inbringing his Majesties rents]

ACT in favors of Univerſities Schooles and Hoſpitalls brought in from the said Committee read and ordered to ly on the table. [Universities Schools &c.]

ACT Reſerving the Priviledges of Burghs of Regality and Barrony als well as of Burghs Royall anent the cureing and packing of Salmond, read the second time and after some amendments voted and approven. [Burghs of Regality & Barrony]

ACT Concerning the payments to be made to Miniſters out of the vacant Stipends brought in from the Committee for Security read the firſt time and ordered to lye on the table. [Ministers]

OVERTURE for an act for Expences in Suſpenſions, remitted to the Committee for Security of the Kingdom. [Expences in Suspensions]

OVERTURE for bringing in an act anent incloſures and plantings, remitted to the Committee for Security of the Kingdom. [Inclosures & Plantings]

THE Lord Secretary, Lord Advocat, Lord Juſtice Clerk, and Sir Patrick Home his Majeſties Solicitor appointed to reviſe the Ratifications that are to paſs this Seſsion of Parliament. [Committee to revise the Ratifications]

ACT anent the Regiſtration of Seaſins and others brought in from the Committee for Security read and ordered to ly on the table. [Registration of Seasins]

PETITION John Trotter of Mortounhall and others againſt Sir James Dick of Preiſtfield, read and Sir James Dick ordered to ſee and anſwer againſt Wedenſday nixt, with Certification [Trotter of Mortounhall ag[t] Dick of Preistfield]

ORDERED that the Report of the Commiſsion for the pole be under Conſideration to morrow befor any other privat affair. [The Pole]

AT EDINBURGH the twenty eight day of September I[m] vj[c] and ninty Six years Anent the Petition preſented to His Majeſties High Commiſsioner and the High and Honourable Court of *Remitt in favors of William Patton of Panholls*

Parliament by William Paton of Panholls writer to the Signet Shewing that the late Lord Cardroſs as being authorized by the Convention of Eſtates prevailed with the Petitioner to accept of ane Commiſsion from him for putting the Parochine of Blackfurd in an poſture of defence againſt diſaffected perſons which the Petitioner did faithfully Execute for severall years as is knowen to ſome of the Honourable members of this High court and was at great charges in Executeing the ſame for which he never received any ſatisfaction And in the end of December I^m vj^c and eighty nine The saids disaffected rebells and robbers (when the Petitioner was at ſome diſtance) did moſt cruelly and barbarouſly commit severall depradations and other oppreſsions upon him and his tennents wherby they ſuſtained conſiderable Loſs And haveing in March laſt gone to London and petitioned his Sacred Majeſtie in behalf of himſelf and tennents for redreſsing their Loſses He was graciouſly pleaſed to recommend the Petitioner to his Grace My Lord Commiſsioner and this High and Honourable Court of Parliament as His Grace doth know And therfor Craveing His Grace and their Lordſhips to grant Commiſsion to one of the Commiſsioners of Supply in the Sheriffdom of Perth to cognoſce and Liquidat their Loſses and damnadges With Power to him to choiſe his own Clerk and to Report the ſame to His Grace and their Lordſhips to the end the Petitioner and his tennents may be redreſsed in ſuch way and manner as His Grâce and their Lordſhips think meet as the said Petition bears Which being read in preſence of his Majeſties high Commiſsioner and the Eſtates of Parliament and they haveing Conſidered the same They have granted and hereby Grants Warrand and Commiſsion to any five of the Commiſsioners of Supply for the Shire of Perth wherof three to be a quorum to take cognition of the Petitioners Loſses and damnadges and to Liquidat the same and to Report to this or the nixt enſueing Seſsion of Parliament.

Act in favors of the Mariſhall Colledge of Aberdeen

AT EDINBURGH the twenty eight day of September I^m vj^c and ninty Six years Anent the Petition preſented to His Maties High Commiſsioner and the Right Honourable the Eſtates of Parliament by the Principall and Maſters of the Mariſhall Colledge of Aberdeen humbly Shewing That where the Petitioners haveing given in an addreſs to the laſt Seſsion of Parliament Repreſenting that it has been his Majeſtie and his Royall predeceſsors their conſtant care to provide for and give all encouragement to Univerſities and Colledges And that by ſeverall Acts of Parliament there had been vacant ſtipends allowed thein for the uſe of and upholding their fabricks, And the Petitioners some years ago conſidering that their Colledge was exceedingly decayed did adventure the Erecting and Joyning a new Building to the ſaid Colledge without any other fond but the charitable aſsiſtance of severall noblemen Gentlemen & others both at home and abroad and all that contribution being expended and the work lying uncompleat They Craved that they might have the gift of the vacant ſtipends of ſuch Churches wherof the Earle of Mariſhall was Patron And their Petition being read upon the Seventeenth day of July I^m vj^c and ninty five They were allowed the vacant ſtipends of the churches of Foyeraign, Newdear St Brides alias Dunnottar Fetteresso, Olddear, Auchredie, Longſide Peterhead, St Fergus, King Edward and any other wherof the Earle of Mariſhall was undoubted Patron how oft the ſame ſhould happen to vaick, of which few has been vacant ſince the said act But there is a reſtriction in the act that it is only to endure till the then nixt Seſsion of Parliament so that now their gift falls, By which they have not got ſo much benefite as to defray the Expence of procureing therof and the preſent circumſtance of their Colledge neceſsarly requireing an immediat Supply both for reparing the old work and compleating the new which otherwayes will periſh as will be atteſted by theſe of the Honourable members of the laſt viſitation who upon that conſideration by their act dated the twenty day of Auguſt laſt Recommended the Petitioners to the Lords of Theſaury that they might grant them ſome part of the vacant ſtipends Biſhops rents or any other fond that might be moſt effectuall for the ends aforſaid They have therfor preſumed to make this new application to His Grace and Honourable Eſtates of Parliament humbly Craveing that not only the former act allowing them the vacant ſtipends of the Churches above mentioned wherof the Earle Mariſhall is Patron may be renewed But in conſideration of the neceſsity the old fabrick lyes under to be repaired and the new work to be compleated His Grace and Eſtates of Parliament would be Pleaſed to allow the Petitioners ſome part of the Biſhops rents or ſome other more certain and ſure fond then the Caſuall vacant ſtipends for the uſe and ends aforſaid as the said Petition bears Which Petition being read in preſence of and heard by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Renewed and hereby Renews the former grant of the vacant ſtipends of the churches of which the Earl Mariſhall is patron And likewayes have Ordained and hereby Ordains the vacant ſtipends of the Churches ſtanding upon the Lands beloriging to the Earl of Kintore to be payed to the Petitioners to the effect above repreſented with the Burden allwayes of the twenty merks in the terms of the former Act excepting the Churches of His Majeſties Patronadge and of ſuch privat Subjects as ſhall not conſent therto And thir preſents to endure till the nixt Seſsion of Parliament

Act in favors of S[t] Leonards Colledge in the Univerſity of S[t] Andrews

AT EDINBURGH the twenty Eight of September I[m] vj[c] & ninty ſix years Anent the Petition preſented unto His Majeſties High Commiſsioner and the High and Honourable Court of Parliament by the Principall and Maſters of S[t] Leonards Colledge in the Univerſity of S[t] Andrews Shewing that where the fabrick of their Univerſity is in a decayed ruinous condition And unleſs the ſame be ſpeedily repaired the fabrick will go to utter ruine And His Majeſties High Commiſsioner and the Eſtates of Parliament haveing been pleaſed to grant to the other Univerſities and Colledges of the Kingdome the vacant Stipends of the Churches q[t]of they are Patrons And therfor humbly Craveing their Lordſhips to grant to the Petitioners for the uſe of the ſaid Univerſity and Colledge the vacant ſtipends of the Churches under written wherof the Priñll of S[t] Leonards Colledge is Patron and titular viz. The Kirks of Kintore Kinkell Kemny Kinneller Skeen Dyce and Drumblait and how oft the saids churches vaiks that the vacant ſtipends therof might belong to them as the ſaid Petition bears. Which Petition being read in preſence of and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament They have granted and hereby Grants to the Petitioners for the uſe of the above S[t] Leonards Colledge in the Univerſity of S[t] Andrews the vacant ſtipends of the churches wherof the ſaid Colledge are Patrons and that how oft the ſame ſhall happen to vaick untill the nixt Seſsion of Parliament.

Act in favors of S[t] Salvators Colledge of S[t] Andrews

AT EDINBURGH the twenty Eight day of September I[m] vj[c] and ninty Six years Anent the Petition given in and preſented unto His Majeſties High Commiſsioner and the High and Honourable Court of Parliament by the Principall Profeſsors and Maſters of S[t] Salvators Colledge of Saint Andrews humbly Shewing that where the fabrick of the Petitioners Colledge is become ruinous and in a decayed Condition and will altogether faill unleſs ſpeedily repaired and the Petitioners haveing no means or effects wherwith to big the ſaid fabrick, And His Majeſtie and the Eſtates of Parliament haveing granted the vacant ſtipends of ſuch Churches q[t]of the Colledges are Patrons in favors of the saids Colledges Craveing therfor His Grace and their Lordſhips to grant to the Petitioners for the uſe of the said Colledge in the Univerſity forſaid the Vacant ſtipends of such Churches as the said Colledge are Patrons of preſently vacant or which hereafter ſhall vaick as the said Petition bears Which being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have granted and hereby grants to the Petitioners for the uſe of the above Salvators Colledge in the Univerſity of S[t] Andrews the vacant ſtipends of the Churches wherof the said Colledge are Patrons and that how oft the samine ſhall happen to vaick untill the nixt Seſsion of Parliament.

[Book of Rates]

OVERTURE for bringing in an Act for Extending the third rule Subjoyned to the Book of rates and approven by the Act of Parliament I[m] vj[c] and ſixty nine, to all free ports, Remitted to the Committie for trade.

Act in favors of William Beattie for building a Bridge on the water of Bervie

AT EDINBURGH the Twenty Eight day of September I[m] vj[c] and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by William Beattie late Baillie of Bervie humbly Shewing That where upon a repreſentation to His Majeſties Commiſsioner and the Eſtates of Parliament in their laſt Seſsion of the great neceſsity of building a bridge over that part of the water of Bervie which is the moſt patent road to and from the north of Scotland And how after a ſmall ſpeat of rain the ſame becomes unpaſsable to the loſs of the lives of ſeverall perſons and the great prejudice of the Leidges in their Trade Commerce and lawfull negotiations The Parliament did then by their gift and Act daited the Seventeenth day of July I[m] vj[c] and ninty five years Decern and appoint the haill vacant ſtipends which were then reſting out of the Paroches of Scoon Gaſk Migle Cargill Eccles Greig and Caterland lying within the Sheriffdomes of Perth and Kincairdine or which ſhould continue vacant in time therafter till the nixt enſueing Seſsion of Parliament to be Payed to the Petitioner for carrieing on ſuch a pious and neceſsary a work And ſeeing the Charges and Expences of perfiteing the same and Paying the Soume then reſting mentioned in the former Act does amount to a far greater Soume then the founds granted by the former act does Extend to q[ch] were much Exhauſted by ſome of them being Planted and by payment of twenty merks per diem due to ſuch as did ſupply the saids vacant churches And conſiderable allowance to factors and other neceſsary Expenſ[s] for uplifting the same And beſides the Petitioner is informed the Lords of Theſaury has gifted fourteen hundred merks out of the ſtipends gifted by the Parliament to him for anno I[m] vj[c] and ninty ſix which is the greateſt part that can be made effectuall therof And ſeeing by the Computation of tradſmen it will yet take to Compleat the said work Seventeen hundred and nintеen pound fifteen ſhilling and ſix pennies And that conform to the account produced with the said Petition And leaſt the forſaid good & publict work ſhould remain unperfected and the Petitioners ſtock and Credit which ſtands engaged for a conſiderable Soume upon this account ſhould be ruined for want of ſufficient founds And therfor

Craveing His Grace and Honourable Eſtates of Parliament in Conſideration of the Premiſes to Renew their act and Continue their gift in favors of the Petitioner of the vacant ſtipends of such of the forſds Churches as are not already Planted for the laſt half of cropt I^{m} vj^{c} and ninty ſix and the year I^{m} vj^{c} and ninty ſeven in caſe they be not planted befor the ſame fall due And alſo grant the Petitioner a gift of the ſtipend of Bervie which is now become vacant for the whole cropt I^{m} vj^{c} and ninty ſix and ninty ſeven under the Burden of the forſd twenty merks upon the Caution already found for applying the ſamen for the uſe above mentioned as the said Petition bears Which Petition being Read in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament and they haveing heard the ſame They have Granted and hereby Grants the Deſire therof the Petitioner allwayes being bound to Compt for all his intromiſsions by vertue of this and the former grants to Sir Thomas Burnet of Leyes, the Lairds of Allardice and Knox in order to the true application therof for the uſe above repreſented.

THE Committies appointed to meet to morrow at nine a clock in the forenoon.

THEN the Lord Chancellor by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

SEPTEMBER XXIX, M,DC,XCVI.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

COMMISSION to Sir Robert Gordoun of Gordounſtoun to be one of the Commiſsioners for the Shyre of Elgine, Remitted to the Committee for Contraverted Elections.

[Anent meeting of Parl^{t} in caſe of the Kings death] DRAUGHT of ane Act for the meeting of the Parliament in caſe of the Kings death (whom God preſerve) read a Second time and ordered to lye on the table.

[Actions for Aliments] DRAUGHT of an Act for regulating actions for aliments read the second time and ordered to ly on the table.

[Ministers] DRAUGHT of an Act for payments to be made to Miniſters out of vacant ſtipends read the second time and therafter voted and approven

DRAUGHT of ane Act allowing the coyning of a certain quantitie of Copper brought in from the Committee for Security of the Kingdom read the firſt time and ordered to ly on the table. [Coyning of Copper]

DRAUGHT of ane Act for Regiſtration of Summonds for interruption of Preſcription read the second time. [Summonds for interruption of Preſcription]

DRAUGHT of an Act in favors of Univerſities Schooles and Hoſpitalls read the second time and therafter voted and approven. [Univerſities Schools &c.]

DRAUGHT of an Act allowing all writts to be written book wayes read the second time and therafter voted and approven. [Writs to be written book ways]

DRAUGHT of an Act for makeing ſalt after a new manner brought in from the Committee for trade read the firſt time and ordered to ly on the table [Anent makeing Salt]

OVERTURE for an Act againſt killing of Smolts and the fry of ſalmond remitted to the Committee for trade. [Overture anent killing the fry of Salmond]

OVERTURE for Regulating the method for inbringing the forraign Cuſtomes and Exciſe Remitted to the Committie for trade [Overture anent inbringing the forraign Customes]

REPORT from the Committie for the Pole read [The Pole]

MOVED That the Certification againſt the Commiſsioners for the Pole contained in the Act of Parliament appointing that Commiſsion ſhould be taken off and after ſome debate the Queſtion being stated, take off the Certification or not, it carried in the affirmative And as to theſe two articles of the Report of the Commiſsion viz. Touching the old tackſmens Expences and if they ſhould be lyable for the vintuples Ordered that the tackſmens Lawers ſhould be heard therupon the nixt meeting of Parliament

ACT for Declaring the Burgh of Greenlaw lying in the Sheriffdom of Berwick to be the head Burgh of the said ſhyre read a second time and therafter voted and approven. [Burgh of Greenlaw]

A PROPOSAL touching the Servants of Papiſts Remitted to the Committee for Security of the Kingdome [Servants of Papists]

[Anent bringing in water to Edinburgh]

DRAUGHT of ane Act brought in from the Committee for trade for the Bringing in of water to the City of Edinburgh or any other place within the Kingdom where water is ſcarce read for the firſt time and ordained to be printed.

Anent the additionall Commiſsioners of Supply in the ſhire of Fyfe

MOVED That ſuch additionall Commiſsioners as are given in for the ſhire of Fife and who have already Qualified themſelves ſhould Qualifie themſelves again by vertue of this nomination and the Queſtion being ſtated if the vote upon this motion ſhould paſs in reference to the ſhire of Fyfe only or to the haill Kingdom the vote carried Fife only then the vote being ſtated in the terms of the motion It carried in the affirmative

[Mr Alexr Anſtruther of Newwark]

PETITION for Mr Alexander Anſtruther of Newwark Craveing he might be allowed to Qualifie himſelf to the effect he may be Readmitted to his employment as an advocat, read and the deſire therof Granted and he allowed to Qualifie himſelf before the Committee for Security.

Act in favors of the Kings Colledge of Aberdeen

AT EDINBURGH the Twenty ninth day of September Imo vjc and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by the Principall and Maſters of the Kings Colledge of Aberdeen humbly Shewing that where in the laſt Seſsion of Parliament the Petitioners haveing got the gift of the vacant ſtipends of ſuch Churches wherof they themſelves were patrons viz. old and new Machers Slains Methlick Newhills Aburluthnot Glenmuck and Glengairne But their act being Reſtricted to continue only to the then nixt Seſsion of Parliament ſo that in effect they have not reaped ſo much benefife as defray the Expence of procureing their gift And the Reaſons for granting them the forſaids vacant ſtipends being at length contained in their former Petition Therfor humbly Craveing that His Grace and Eſtates of Parliament would be pleaſed to take off the Reſtriction and allow the Petitioners to uplift the vacant ſtipends of the forſaids churches wherof they are Patrons and that how oft the ſame ſhall happen to vaik as the said Petition bears Which Petition being read in preſence of and heard and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Renewed and hereby Renews the former Grant in favors of the Petitioners in ſo far as concerns the vacant ſtipends of Pariſh kirks at the Petitioners own preſentation and none other and with the burden of the twenty merks as formerly And thir preſents to continue till the nixt Seſsion of Parliament.

Act in favors of the Univerſity of Glaſgow

AT EDINBURGH the twenty ninth day of September Imo vjc and ninty ſix years Anent the Petition given in and preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by the Moderators of the Univerſity of Glaſgow Shewing that whereas the ſaid Univerſity doth groan under a vaſt burden of debt and that the yearly rents therof are not competent to defray the annuall ordinary charge of the ſame and that all the relieff the said Univerſity hath got will not be able in many years to pay the debts already Contracted And the said Univerſity being Patrons of ſeverall pariſhes and haveing the teynds great and ſmall as a part of the Patrimony of the ſaid Univerſity out of which they pay the Miniſters ſtipends of the paroches after named And ſeeing it may fall out that ſome of them prove vacant and it being an undoubted pious uſe to diſpoſe of thoſe ſtipends when vacant for the payment of the debts and other uſes of the Univerſity And therfor Craving His Grace and their Lordſhips the Honourable Eſtates of Parliament to grant to the ſaid Univerſity a gift of the said vacant ſtipends which are or ſhall fall due of the pariſhes of Govan Kilbryde Renfrew Dalziel Old and New Monkland and Calder where the Univerſity have all the tithes and pay the miniſters ſtipends and of the pariſh of Calmonell where they have the remaining part of the tithes which is over and above the miniſters ſtipends And that to endure for ſuch time as His Grace and their Lordſhips ſhould think fit, as the ſaid Petition bears. Which being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby Grants the Vacant Stipends of theſe Churches only wherof the Univerſity is Patron and of none others to be Diſpoſed of for the ends above repreſented and that how oft the ſame churches ſhall happen to be vacant And this gift to continue only untill the nixt Seſsion of Parliament

Act in favors of the Colledge of Edinburgh

AT EDINBURGH the twenty ninth day of September Imo vjc and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the High and Honourable Court of Parliament by the Magiſtrats and Councill of Edinburgh Patrons of the Kings Colledge of Edinburgh humbly Shewing That where the fabrick of the Colledge of Edinburgh needs very much reparation and ſome new work hes for many years ſtood uncompleat Alſo there is a great want of Schools and Libraries in the ſaid Colledge which cannot be made up unleſs there be ſome fond granted for that effect all the Eſtate of the said Colledge being ſpeciall Mortifications to particular profeſsions within the Colledge And therfor Craveing His Grace and their Lordſhips to grant to the Petitioners as Patrons of and to the uſe and be-

hoove of the ſaid Colledge of Edinburgh the vacant Stipends of ſuch Churches as the Toun of Edinburgh or Colledge therof are Patrons and that how oft the ſamine ſhall vaik, as the said Petition bears Which being read in preſence of and heard and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby Grants to the Petitioners as Patrons of and to the uſe and behove of the Colledge of Edinburgh the vacant ſtipends of the churches q'of the Toun of Edinburgh or Colledge therof are Patrons and that how oft the ſame ſhall happen to vaick untill the nixt Seſsion of Parliament

THE Committees appointed to meet to morrow againſt eight a clock in the morning

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten a clock in the forenone.

SEPTEMBER XXX, M,DC,XCVI.

PRAYERS said, Rolls called

MINUTS of the last Sederunt read.

[Anent meeting of the Parl[t] in case of the Kings death] THE Draught of the Act for meeting of the Parliament in caſe of the Kings death (whom God preſerve) again read and after some debate It was put to the Queſtion, if the clauſe relating to the military Commiſsions ſhould be altered or continued and being voted It carried Continue Therafter it was put to ye vote approve of the act or not, and carried in the affirmative

[Appearand heirs] OVERTURE for bringing in an Act for Reſcinding the retroſpect contained in the Act paſt the laſt Seſsion of Parliament Entituled Act againſt the fraud of appearand airs, Remitted to the Committee for Security of the Kingdom.

[Anent forfaulted Estates] OVERTURE for bringing in an Act anent forfaulted Eſtates Remitted to the said Committee

[Importation of victual] OVERTURE for bringing in an Act for the makeing up the ſums given out by his Majeſtie to thoſe who have imported victuall into this Kingdom ſince Lambas laſt And likewayes for defraying the Expenſe of the new Coynage of the old fourteens and old ſeven ſhilling peices appointed by an Act of this Seſsion of Parliament Remitted to the Committee for Security of the Kingdom.

ORDERED that the Committee for Contraverted Elections meet to morrow at nine a clock in the forenoon for diſcuſsing the objections that ſhall be offered againſt Sir Robert Gordon of Gordonſtoun his Commiſsion to be one of the Commiſsioners for the Shire of Elgine. Reſolved if the said Committee do not meet the objections ſhall be diſcuſsed in plain Parliament. [Commiſsion for Elgin]

THE Committees appointed to meet to morrow at nine a clock in the forenoon.

THEN the Lord Chancellour by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

OCTOBER I, M,DC,XCVI.

PRAYERS said Rolls called

MINUTES of the laſt Sederunt read

AT EDINBURGH the firſt day of October I[m] vj[c] and ninty ſix years Anent the Report brought in from the Committee for Contraverted Elections Mentioning That the Committee haveing conform to the Remitt of Parliament Conſidered the Commiſsion granted by the ſhire of Elgine and Forres to Sir Robert Gordon of Gordonſtoun are of opinion That there is a nullity in the Commiſsion it being ſubſcrived at four ſeverall places and near twelve moneths after the pretended election and likewayes are of opinion that another objection againſt the ſame is relevant viz. That two of the ſubſcrivers were abſent from the Election contrare to the hundred and thirteenth Act Parliament I[m] v[c] and Eighty ſeven and the two Hundred and Seventy ſecond Act Parliament I[m] v[c] and ninty ſeven and the fourth Act of his Majeſties current Parliament datted the twelvth day of May I[m] vj[c] and ninty And the Committie are of opinion That the Parliament ſhould remitt to the Barrons of the Shyre to elect again of new as the ſaid Report bears Which Report being read in preſence of and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament They have approved and hereby approves of the same and have Remitted and hereby Remitts to the Barons of the above mentioned Shire to elect of new again upon the day appointed by the Warrand already granted by this preſent Seſsion of Parliament Approbation of the Report of the Committie for Contraverted elections anent Gordonſtouns Commiſsion from the Shire of Elgin

THE Draught of an Act anent Regiſtration of Seaſins and other heretable rights and dilligences again read and after ſome debate It was put to the [Anent Registration of Seasins]

vote Approve the clauſe Declaratory in the ſaid Act or alter and it carried approve Then the other clauſe for the due Regiſtration of Seaſins and others being voted It was alſo approven and therafter the Act was ordered to be written over in mundo and then read voted and approven.

[Anent founding of Schools &c.] DRAUGHT of an Act for founding of ſchooles and mentainence of Schoolmaſters brought in from the Committee for Security read the firſt time and ordered to ly on the table.

[Coining of Copper] THE Draught of an Act for coining a certain Quantity of Copper read the second time and the Conſideration therof delayed till the nixt meeting of Parliament

Pole MOVED that the Queſtions in the Report of the Commiſsion for the Pole be remitted back to the ſaid Commiſsion with a Parliamentary Power to determine therin, And it being put to the vote Remit or not it carried Remitt

Remit to the Commiſsion anent the Pole 1693 AT EDINBURGH the firſt day of October one thouſand ſix hundred and ninety ſix years Anent the Report brought in and preſented to his Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by the Commiſsione anent the Pole one thouſand ſix Hundred and ninety three years makeing mention That the Parliament haveing turned the tack of the Pole one thouſand ſix hundred and ninety three to a Collection and impowered a Commiſsion of their own number to ſee ye money applyed for payment of the arriers due to the Countrey and army as it was deſigned by the act Impoſeing the same And for that effect to call the tackſmen to ane accompt for their intromiſsions and to do every thing neceſsary theranent for inbringing what was reſting therof by the Countrey or to roup the whole of the ſaid Pole money to the higheſt offerer The minimum being allwayes thirty thouſand pound ſterling The Commiſsion in proſecution of their truſt finding the greateſt part of the Pole to be uplifted and that ye Expenſs of uplifting the reſt would exhauſt what would be recovered They after due intimation did roup the Pole and the old Tackſmen refuſeing to offer the minimum appointed by the Parliament the same was set to my Lord Belhaven the Lairds of Grant, Houſtoun Sornbeg and other offerers for the ſaid thirty thouſand pounds, When the Commiſsion had ſet the ſaid Pole They after many Sederunts and with much difficulty got the old Tackſmen and their Collectors to produce their accompts and ſigne the same as true accompts under the Certification contained in the act of Parliam' except Walter Lockhart of Kirktoun who was allwayes willing to obey the orders of the Commiſsion And at laſt the old tackſmen payed in the ſum of nine thouſand pound Sterling to the Caſh keeper in obedience to the Commiſsions order Which with the ſum of other nine thouſand pounds or therby formerly payed in by them to the Caſh keeper Extends in the haill to the ſum of Eighteen thouſand pound Sterling or therby So that there remains ſtill in the old tackſmens hands conform to the accompts given in by themſelves the ſum of ſix thouſand pounds ſterling or therby which with the ſuperplus remaining in the new tackſmens hands Extends to the ſum of thirty thouſand pound Sterling Likewayes the Commiſsion did draw Precepts for the Sum of ten thouſand Pound Sterling and above upon the Caſh keeper for paying of the arriers to the Countrey conform to the ſtated accompts approven by the Lords of his Majeſties Privy Councill and recommended to them Which with the former payments made by the Caſhkeeper upon the Theſauries precept does Extend to Sixteen thouſand Pound Sterling and more which fully ſatiſfies the arriers due to the Countrey So that there remains allennarly for payment of the officers & army thirteen thouſand pounds and ſome odds which is ſtill in the hands of the preſent and old tackſmen except the Soume of one thouſand pound ſterling or yby which is in the Caſhkeepers hands. Some of the officers of the army preſsing payment of their proportion of that ſum and the old tackſmen urgeing to have ſix thouſand pound allowed them for their Expenſs conform to a Condeſcendance given in by them The Commiſsion conſidering the Certification laid on them by the Act of Parliament in caſe of miſapplication thought it in all humility fit to remit the old tackſmens. Expenſs to the Parliament As alſo to propoſe the difficulties following that the ſame may be cleared by the Parliament and that therafter there may be a new Commiſsion choſen for ending that affair of the Pole who will be encouraged thereto by takeing off the said Certification and giveing them full and ample power to put their orders and decreits in Execution by all legall Compulſitors The difficulty as to allowing of Expenſs to the old tackſmen lyes here that the officers contend that if the ſix thouſand pound in the old tackſmens hands be allowed for their Expenſs there will remain little more then ane thouſand pound ſterling to pay fourty thouſand pounds of arriers to them in reſpect the new tackſmen will not be lyable for the Superplus to which they are oblidged by their tack if the old tackſmen be free of their vintuples (which freedom they acclaim on the ground after mentioned) Whereby the old tackſmen will pay but Eighteen thouſand pound Sterling for four and fourtie thouſand pound of their tack duty and the officers will only get ane thouſand pound ſterling or yby in

place of four and fourty thouſand pounds of tack duty And upon the other hand the old Tackſmen alleadge that the Pole being a new Impoſition the value and import therof could only be gueſsed and the wayes and methods for ingathering therof being untroden paths they ought to have Expenſſ conform to their condeſcendence they haveing made the offer of so great a tack duty out of zeal to his Majeſties ſervice Upon which ground the Parliament did turn their tack into a collection & did Remit to the Commiſsion to allow Expenſſ if they thought fit But did not refuſe them expenſſ as they did ſallary by the act and the officers may ſee that the short comeing of the fond is not occaſioned by the fault of the old tackſmen since the new Pole which was looked upon as a better fond by the Parliament cannot be rouped above twenty thouſand three hundred pounds The nixt difficulty that occurrs to the Commiſsion is anent the vintuples which the old tackſmen contend they can only be lyable to for omiſsions of intromiſsions had by themſelves but not by their Subcollectors Becauſe it is a rigorous & ſevere penalty which ought not to be extended againſt them when they themſelves omit nothing And that the act does not expreſsly ſay that they ſhall be lyable for the omiſsions of their Subcollectors And far leſs (as they contend) ſhould they be lyable every one in ſolidum for the omiſsions of Subcollectors appointed by any of their number Upon the other hand the officers alleadge that the vintuple is not a penalty but an expreſs condition and quality of the Converſion without which the Tack would never have been turned into a Collection and therfor the Act of Parliament appointing that the Tackſmen ſhould be lyable for the Subcollectors and manadgers imployed by them as the firſt of the conditions contained in the act and the third condition bearing that if there were any thing received from the Countrey and not given up in the books the Tackſmen or their Subcollectors ſhould be lyable in twenty ſhilling for each ſhilling ſo omitted The Tackſmen ought to be lyable in ſolidum for their Subcollectors concealments since the Legall obligation introduced by the Act of Parliament muſt be of the ſame nature with the firſt obligation of the tack to which it is acceſsory whereby the Tackſmen are lyable in ſolidum And if it were otherwayes the offer would be eluſory the officers and new Tackſmen not knowing the Subcollectors And there being many of them the persueing of them for the vintuples would occaſion more Expenſſ then what would be recovered Nor can the Subcollectors be lyable for the vintuples they neither haveing deſired the said Converſion nor haveing any benefite thereby neither would the new Tackſmen have oblidged themſelves for thirty thouſand pounds But in contemplation of the vintuples to be gotten off the old Tackſmen in caſe of concealments which is clearly imported in the new Tack So that if the old Tackſmen be free of the vintuples for their Subcollectors omiſsions the new Tackſmen muſt be altogether free of their tack in which caſe allowing the old Tackſmen ſix thouſand pound of Expenſſ acclaimed by them ſtill in their own hands there will only remain one thouſand pound or therby to pay fourty thouſand pound ſterling of arriers to the army as is repreſented befor The other difficulty occurring to the Commiſsion is this whither the arriers due to the Sentinells als well as officers be to come in computo or only the arriers due to the officers be to be payed out of this fond It being preſumed that the Sentinells were mentained by the countrey And if the arriers due to the Sentinells muſt come in computo if it muſt be payed to the officers upon this preſumption that they maintained the Sentinells without any right from the Sentinells and to what officers it muſt be payed whether to the Collonells for their Regiments or the Captains for p^r^ Companies and if the Subaltern officers ſuch as Livetennents Enſignes Serjeants ſhould get their own pay or if it ſhould be payed in to their Collonells or Captains &c. and what form of edictall Citation ſhall be uſed for excludeing all thoſe who ſhall not compear at the day appointed And in caſe the Parliament allow only the arriers due to officers to be payed out of the Pole then it would be cleared whither that which is payed to the Countrey for the arriers due by a Regiment ſhould be deduced for bringing all the Regiments and troups upon ane equal foot It appearing hard on the one hand that that which is payed as arriers to the Countrey for maintenence of the Sentinells ſhould be deduced when the officers only demand their own pay And on the other hand it ſeems ſtrange that two Collonells V : G : to whom a like moneths pay are due ſhould get a like pay when poſsiblie there is ten thouſand pound payed of arriers to the Countrey for maintinance of the one Regiment out of this fond of the Pole and not a ſix pence payed furth therof for maintinence of the other as the said Report in it ſelf bears Which Report being upon the twenty Second day of September laſt bypaſt read in plain Parliament His Majeſties High Commiſsioner and Eſtates of Parliament by their deliverance written theron ordained his M^ties^ Solicitor to cauſe print the ſame and that the printed doubles therof ſhould be given to the severall members againſt Fryday then nixt that all parties concerned might be heard and the matter determined as ſhould be found moſt juſt and expedient And His Majeſties High Commiſsioner and the Eſtates of Parliament haveing again upon the twenty ninth day of September laſt heard the forſd report read in Parliam^t^ They by their other deliverance written theron ordained and declared the Certification contained in the former act anent the Pole money in the year I^o^ vj^c^ and ninety three and mentioned in the said report to

be taken off and to be of no effect in all time hereafter and that the Sentences of the Commiſsion be put to all due Execution by all Legall Compulſitors competent to follow upon decreits of any Soveraign court within the Kingdom or Commiſsion of Parliament appointed at any time preceeding the date hereof And declared they would hear any party concerned upon the oth points contained in this report at the nixt Sitting of Parliament and Determine therin or give their furder directions to the Commiſsion for determining ye ſame as they ſhould find reaſonable. And His Majeſties High Commiſsioner and the Eſtates of Parliament haveing this day conſidered the haill difficulties in the forſaid Report of the Commiſsion for the Pole They by their third deliverance Written theron have Remitted and hereby Remitts the ſame back again to the said Commiſsion with a Parliamentary power to determine therin as they find juſt.

[Mr David Douglas]

PETITION Mr David Douglaſs Craveing he might be allowed to Qualifie himſelf to the effect he may be reſtored to the Exerciſe of his employment as an advocat read, and the deſire therof granted and he allowed to Qualifie himſelf befor the Committee for Security of the Kingdom

[Mr Thomas Skeen & Mr Archibald Hamilton Advocats]

TWO Petitions one for Mr Thomas Skeen, The other for Mr Archbald Hamilton Craveing they might be allowed to Qualifie themſelves to the effect they may be reſtored to the Exerciſe of their Employments as advocats read and the deſire of them both granted and they allowed to Qualifie themſelves befor the said Committee

[Anent killing of Foxes]

OVERTURE for bringing in an Act for killing of Foxes Remitted to the Committee for Trade

[Mr Archd Sinclair Judge Admirall]

PETITION Mr Archbald Sinclair Judge Admirall remitted to the Committee for Security of the Kingdome.

OVERTURE for putting the Kingdom in a poſture of defence Remitted to the said Committee

THE Committies appointed to meet at nine a clock to morrow

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Munday at ten a clock in the forenone

Act in favors of Mr Alexander Anstruther of Newwark Advocat

AT EDINBURGH the firſt day of October Im vjc and ninty ſix years Anent the Petition of Mr Alexander Anſtruther of Newwark Given in and preſented unto His Majeſties High Commiſsioner and the right Honourable the Eſtates of Parliament humbly Shewing That the Petitioner by reaſon of neceſsary abſence haveing neglected to take the oath of alleadgeance and aſsurance before the time preſcrived by the Act of Parliament wherby he was debarred the Exerciſe of his employment as an advocat And seing it could not be imputed to any diſsatiffaction to the Government he haveing ſince Qualified himſelfe in other Capacities is now willing and deſireous to be allowed to reenter to his imployment as advocat and qualifie himſelf for that effect And therfor humbly deſireing that his Grace and yr Honours would be pleaſed to remit the Petitioner to the Lords of Seſsion to be readmitted by them to his imployment as advocat upon his Qualifieing himſelf for that effect as the said Petition bears Which Petition being upon the twenty ninth day of September laſt by paſt read in plain Parliament befor his Majeſties High Commiſsioner and the Eſtates of Parliament They by their Deliverance Written on the back of the same have Granted and hereby Grants the deſire therof and allowed the Petitioner to Qualifie himſelf in preſence of the Committee for Security of the Kingdom in manner and to the effect above repreſented. Conform to which deliverance the above deſigned Petitioner Mr Alexander Anſtruther did this day in preſence of the ſaid Committee for Security of the Kingdom Swear and Signe the oath of alleadgeance to his Majeſtie and ſigned the aſsurance by warrand of the above deliverance of Parliament and that on the Schedulls ſigned by the advocats.

Act in favors of Mr David Douglas Advocat

AT EDINBURGH the firſt day of October Im vjc and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Mr David Douglas advocat humbly Shewing that he haveing loſt the opportunity of Qualifieing himſelf as is required by the Act of Parliament Im vjc and ninty three years being at the time neceſsarly abſent has hitherto abſtained from the exerciſe of his said imployment And being allwayes willing to qualifie if the terms preſcrived by the Act of Parliament were prorogat and ſince he is already qualified in another ſtation Therfor Craveing His Grace and the Honourable Eſtates of Parliament to allow the Petitioner the exerciſe of his imployment as Advocat he qualifieing himſelf as the Law requires as the said Petition bears Which being upon the firſt day of October inſtant read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written on the back therof did Recommend

the Petitioner to the Committie for Security of the Kingdom to adminiſtrat the oaths of alleadgeance and aſsurance to him and he takeing the ſame they allowed the Petitioner to Exerce his imployment as an Advocat Conform to and be vertue of the which Deliverance of Parliament the Petitioner did upon the third day of þe ſd moneth of Octo^r in preſence of the ſd Committee for Security of the Kingdom Swear and Signe the alleadgeance to his Majeſtie and Signe the aſsurance in the Scheduls with the Advocats.

Act in favors of Mr Thomas Skene Advocat

AT EDINBURGH the firſt day of October I^m vj^c and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and Honourable Eſtates of Parliam^t by Mr Thomas Skene advocat Shewing That where the Petitioner did not take the oaths as ane Advocat conform to the Act of Parliament I^m vj^c & ninty three befor the day prefixed therin wherby the Petitioner has ever ſince been debarred from Exerceing his imployment And seing he is willing to qualifie himſelf according to Law Therfor humbly Craveing His Grace and the Honourable Eſtates of Parliament to allow the Petitioner to Exerce his imployment as formerly He Qualificing himſelf according to the Lawes of the Kingdom as the ſaid Petition in it ſelf bears. Which being upon the firſt day of October inſtant read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their Deliverance writen on the back therof did Grant the deſire of the ſame and allowed the Petitioner to qualifie himſelf in preſence of the Committee for Security of the Kingdom in manner and to the effect above repreſented Conform to and be vertue of the which Deliverance of Parliament the Petitioner did upon the third day of þe ſd moneth of Octo^r in preſence of the ſaid Committee for Security of the Kingdom Swear and Signe the alleadgeance to His Majeſtie and ſigned the aſsurance in the ſchedules with the Advocats.

Act in favors of Mr Archbald Hamilton Advocat

AT EDINBURGH the firſt day of October I^m vj^c and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by Mr Archbald Hamilton advocat humbly Shewing That where by an Act of this current Parliament all Advocats were ordained to ſwear the oath of alleadgeance to his Majeſtie and ſubſcrive the ſame with the aſsurance betwixt and a preciſe day therin mentioned At which time the Petitioner was moſt neceſsarly detained in the Countrey a conſiderable diſtance from this as is well known to ſome of this Honourable Parliament And albeit he did at that time what was poſsible for him to ſignifie his readineſs to give obedience to the forſaid Act and hath ſince made eſsayes for that effect yet the Act hath been conſtructed ſo peremptory that they have proven ineffectuall And therfor Craveing His Grace and the Honourable Eſtates of Parliament yet to allow the Petitioner to take the forſaid oath of alleadgeance and aſsurance notwithſtanding the preciſe day be elapſed as the ſd Petition bears. Which Petition being upon the firſt day of October inſtant read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written on the back therof have granted and hereby Grants the deſire therof And allowed the Petitioner to Qualifie himſelf in preſence of the Committee for Security of the Kingdom in manner and to the effect above repreſented By vertue of which deliverance of Parliament the Petitioner upon the third day of þe ſd moneth of Octo^r in preſence of the ſaid Committee for Security of the Kingdom did Swear and Signe the oath of alleadgeance to His Majeſtie and Signe the aſsurance in the Schedulls with the Advocats.

OCTOBER V, M,DC,XCVI.

PRAYERS ſaid Rolls called

MINUTS of the laſt Sederunt read

THE Lord Kinnaird Excuſed by his Grace His Majeſties High Commiſsioner in reſpect of his indiſpoſition John Ewart for the Burgh of Kirkcudbright Excuſed by his Grace His Majeſties High Commiſsioner by reaſon of his age and infirmity

PETITION Sir Alexander Cumming of Culter Mr Charles Gray Archbald Cockburn younger of Langtoun Mr James Naſmith of Daiek and Mr Alexander McLeod Craveing they may be allowed to qualifie themſelves to the effect they may be reſtored to the Exerciſe of their imployments read, and the deſires of the saids Petitions granted.

Act in favors of Mr William Gordon of of Balcomy Advocat

AT EDINBURGH the fifth day of October I^m vj^c and ninety ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Mr William Gordon of Balcomie humbly Shewing That the Petitioner being ſeverall years ſince admitted Advocat and haveing neglected to take the oath of alledgeance to His preſent Mātie and to Subſcrive the aſsurance before the time appointed by the late Act of Parliament He therupon hath ever ſince been debarred from the Exerciſe of his imployment And being now willing and ready to take the oath of alleadgeance and subſcrive the aſsur-

ance and haveing fully reſolved to come over from Fife to Edinburgh for doing therof True it is that by the pleaſure and providence of God Almighty the Petitioner is at preſent ſo afflicted with ane dangerous ſickneſs that he is not able to remove out of his own houſe at Balcomy without the danger and hazard of his life And therfor Craveing His Grace and the Hônourable Eſtates of Parliament to conſider the Premiſſes and to allow him to be reponed and return to the Exerciſe of his ſaid imployment upon his takeing the oath of alleadgeance to His Sacred Majeſtie and Subſcriveing the aſsurance befor the Lords of His Majeſties Privy Councill or Lords of Seſsion whenever it ſhall pleaſe Almighty God to reſtore him to his former health, as the ſaid Petition bears Which being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They in reſpect of the Petitioners indiſpoſition have Remitted and hereby Remitts to the Lords of Seſsion to Adminiſtrat the oath of alleadgeance and aſsurance to the Petitioner and he Qualifieing himſelf They have reſtored and hereby reſtores him to the Exerciſe of his imployment as an Advocat

Order for the abſent members of Parliament Subſcriveing the Aſsociation.

ORDERED that in reſpect some of the members of Parliament abſent have not ſubſcrived the aſsociation that theſe abſents who are within the Kingdom who are Commiſsioners for Shires ſubſcrive the ſame befor the Sheriff of the ſhire q^ch they repreſent betwixt and the firſt of December nixt and theſe abſents who are Commiſsioners for Burghs ſubſcribe the ſame befor the Toun Councill of the Burgh which they repreſent betwixt and the ſaid day ordaining that if they ſubſcrive not the reſpective Shires and Burghs proceed to a new election of Commiſsioners in their place.

[Sugar Manufactory at Glaſgow]

ACT for Erecting a new Sugar Manufactory at Glaſgow read the firſt time and ordered to lye on the table

PETITION for the Burgh of Bamff for a voluntary Contribution throughout the Kingdom for reparing their harbour, read and the deſire therof granted.

Act in favors of the Burgh of Bamff for repairing their harbour

AT EDINBURGH the fifth day of October I^m vj^c^ and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the right Honourable the Eſtates of Parliament by the Magiſtrats and Toun Councill of Bamff in name and behalf of their Burgh humbly Shewing That where the Petitioners have an Harbour in the mouth of the water of Doveron very commodious for trade and the paſsadge of all veſsells betwixt the north and ſouth which albeit built on the one ſide yet on the other ſide is quite bare which whenever any ſpeat comes occaſions the bringing down of so much chingle and ſand that it is like to render their harbour uſeleſs And ſeeing that the only and certain remedie for preſerving the Petitioners harbour is that the ſame ſhould be built on the other ſide whereby the water may be brought to a ſtraiter current for carrieing of the ſaid chingle and ſand and preventing the like in time comeing which the Petitioners can not doe without some publict aſsiſtance as is uſuall in like caſes And therfor Craveing His Grace and their Lordſhips to ordain and allow the Petitioners to have a Publict Contribution through all the Kirks and Paroches of the Kingdome upon the second Sabath of March in the year I^m vj^c^ and ninety ſeven and to authorize a Proclamation to be printed and intimat the Sabath preceeding for that effect as the ſaid Petition bears. Which Petition being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliam^t They have Granted and hereby Grants the deſire therof the Petitioners being allwayes comptable for applying what ſhall happen to be contributed to the effect above repreſented at ſight of the Sheriff Principall of the Shire of Bamff and his deputs.

Act in favors of the officers of the E. of Argyle and Lord Jedburghs Regiments recommending them to His Majeſtie

AT EDINBURGH the fifth day of October I^m vj^c^ and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by the officers of the Lord Jedburghs Regiment humbly Shewing That where the Petitioners have continued in His Majeſties Service ever ſince the happy Revolution with all the affection zeal and care which became their reſpective ſtations and have dureing that time advanced their own money and raiſed upon their Credit whatever was neceſsar to keep them in ſuch condition as was futable to the ſervice and for the eaſe of the Country And seeing the debts Contracted for that end and the money expended has reduced the Petitioners to preſsing neceſsities And that their Creditors being moſt part artificers and merchants who of all men are leaſt able to want their money Do impatiently preſs for payment The Petitioners do with all humility Crave leave to lay befor his Grace and the Honourable Eſtates of Parliament That the Regiment in which they ſerve is compoſed of Six troups which were Converted from horſe to Dragoons and were to be payed as ſuch from February I^m vj^c^ and ninty one from which time untill the firſt of February I^m vj^c^ and ninty three years there was onely ſubſiſtance allowed to the Petitioners which did not amount to the half of the full Pay and yet in the mean time the Petitioners upon the faith of the publict Lawes and the Eſtabliſhment made for the army did not only defray

the expence of their Quarters faithfully and honeſtly wherever they were but did likewayes provide themſelves with Equipages and all other neceſsars fit for the ſervice upon their Privat credit And seing it was the Juſtice of the Parliament I^m vj^c and ninty three to impoſe the Pole money for ſatiſficing the arrears due to the army preceeding February I^m vj^c and ninty one And that the ſame Juſtice will certainly move this Honourable Court to have the like conſideration for the Petitioners their arrears due ſince February I^m vj^c and ninty one to February I^m vj^c and ninty three Specially seing that they are the onely Regiment in the Kingdom to whom the saids arrears are reſting deduceing their ſubſiſtance And that upon the matter there will not ariſe a great ſum or burden to the Parliament the whole not exceeding two thouſand Pounds ſterling though to the Petitioners privat perſons ſo far otherwayes exhauſted It cannot but be very conſiderable So that they muſt expect and implore the Parliaments relieff And therfor Craveing His Grace and their Lordſhips to take the Premiſses to their Conſideration And in reſpect that all the fonds already granted are Exhauſted and that the new fonds diſcourſed of are intended for other uſes and the Petitioners their Condition is ſingular and can be no preparative to augment the publict charge to provide some effectuall remedie either by Eſtabliſhing a diſtinct fond or by a ſmall addition to the other fonds for the payment of their said arrears that are ſo juſtly due and are in a manner abſolutely neceſsary for the Petitioners their honeſt continuance in His Majeſties Service as the said Petition bears Which Petition being upon the twenty fifth day of September laſt bypaſt read in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament and they haveing conſidered the same They by their Deliverance written theron did Remitt the same to the Committee for Security of the Kingdom and to report And the said Committee for Security of the Kingdom did upon the firſt day of October inſtant give in their Report in the said matter Mentioning that they haveing conſidered the Petition from the Officers of the Lord Jedburghs regiment togither with the repreſentation made be the Earle of Argyle in behalf of his Regiment Remitted by the Parliament to them and haveing seen an abbreviat from the Theſaurie of the arrears due to the saids Regiments It was their opinion that the Earle of Argyle and the Officers of the Lord Jedburghs Regiment be Recommended by the Parliament to His Majeſtie for payment of the arrears due to the reſpective regiments forſaid in ſuch manner as his Majeſtie ſhall think fit as the said report bears Which Report being alſo upon the day & date of thir preſents Read in preſence of and heard and Conſidered by the Eſtates of Parliament They have approved and hereby approves therof and have Recommended and hereby Recommends the perſons above ſpecified to His Majeſtie in manner and to the effect therin contained.

DRAUGHT of an Act for Regiſtrating of Summonds raiſed for the interruption of Preſcription read the second time voted and approven [Anent Registrating of Summonds]

THE Draught of an Act againſt vitious Intromettors with moveables read the second time voted and approven [Anent vicious Intromettors]

DRAUGHT of an Act touching aliments, read the second time voted and approven [Anent Aliments]

DRAUGHT of an Act for founding of Schools, and provideing a maintinence for Schoolmaſters read the second time [Anent founding of Schools]

THE Draught of the Act for decerning Expences in calumnious Suſpenſions read the second time voted and approven [Expences in Suspensions]

DRAUGHT of an Act anent Proteſtant Servants in Popiſh families, read the firſt time and ordered to lye on the table. [Servants in Popish families]

DRAUGHT of an Act ordering the manner of Levies read the firſt time and ordered to lye on the table [Anent Levies]

DRAUGHT of an Act for makeing ſalt after a new faſhion as alſo a Petition for the ſalt maſters Craveing to be heard againſt the ſame read, and the Conſideration of the said Act delayed till to morrow [Anent makeing Salt]

THE Draught of the Act againſt Profanneſs brought in from the Committee for Security read the firſt time and ordered to lye on the table. [Act against Profaneneſs]

DRAUGHT of an Act brought in from the Committee for Contraverted Elections ordering ane conſtant habit of cloaths for men and another conſtant habit of cloaths for Women read the firſt time and ordered to lye on the table. [Anent the habit of Cloaths]

OVERTURE for an Act explanatory of the Act anent Short Preſcriptions remitted to the Committee for Security of the Kingdom [Anent short Prescriptions]

Act in favors of the Clerks of Sefsion

AT EDINBURGH the fifth day of October I^m vj^c^ and ninety fix years Anent the Petition prefented to His Majefties High Commifsioner and the Right Honourable the Eftates of Parliament by the Clerks of Sefsion humbly Shewing That where a Commiſsion being granted to the Lords of Privy Councill and Sefsion in the year I^m vj^c^ and fix certain articles of Regulations were agreed on and Ratified in the Parliament I^m vj^c^ and twenty one in relation to the feverall Judicatories offices & falls And the Clerks of Sefsion who are alfo Clerks of Parliament had thereby an allowance equall if not fuperior to the Clerks of any other Judicatory and their offices and priviledges were fully Eftabliſhed by an Act of the fame Parliament King Charles the Second granted a Commiſsion for Regulations anno I^m vj^c^ and fixty nine and certain new articles of Regulations were framed in the year I^m vj^c^ and feventy and Ratified in the Parliament I^m vj^c^ and feventy two wherin none of the former allowances were diminiſhed but the dues and Emoluments of the Clerks of Sefsion were determined and increafed And that the saids Clerks might be farder secured from any Diminution of the Caſualities of their offices It was Statute by the thirty eight Act Parliament I^m vj^c^ and eighty five That their said offices ſhould remain intire in the full Extent therof without alteration diviſion or diſmembration of any part of the ſame And it was therby declared that the Clerks for the time and their Succeſsors ſhould have right to all Priviledges Profites and Emoluments wherof they were then in poſſeſsion Upon the faith of the said Regulations I^m vj^c^ and feventy two and the declaratory Law I^m vj^c^ and Eighty five the Petitioners have sequeſtrat themſelves from all other imployments and betaken them to this weighty and difficult office which they have acquired for onerous cauſes and great Soumes of money dureing life as their gifts and admiſsions bear And theſe their employments are become the far better part of their fortune. By the articles of Regulation I^m vj^c^ and ninety five years the dues of the Petitioners their offices ariſeing from Proceſses settled by theſe Lawes are much impared nor are the Petitioners allowed to uplift them but a Collector appointed with a ſallarie for Collecting the same to be retained out of the Reward of the Petitioners pains and induſtry. In all former Regulations of theſe or any other offices the dues appointed by preceeding Lawes were never diminiſhed and upon alteration of any particular for the diſpatch of Juſtice an equivalent was given as when Summonds were appointed to contain two dyets without act of Continuation and where ſuſpenſions and advocations were ordered to be ſummarly diſcuſt without paſsing the Signet, the dues of the Clerks, Signet and enrollment &c. were reſerved. The expenſe of the Petitioners their liveing and entertaining their families at Edinburgh with the rents of their houſes are much increaſed ſince the Regulations in the year I^m vj^c^ and feventy and their loſses great by a long ſurceaſe of Juſtice and frequent adjurnments of the Summer Sefsion. They are now ſubjected to more pains and difficulty in exerceing their imployments by the form of minuting ſigneing interloquitors and preparing of cauſes preſcrived by the late Acts of Parliament concerning the Sefsion and their fidelity care and dilligence in their offices hath appeared both in the Meeting of the Eſtates and the ſeverall Sefsions of this current Parliament als well as in the ordinary courſe of their imployments And though by their office they have the honour to ſerve in Parliament wherby they were and are in the firſt rank of Clerks within the Kingdom, yet the Sellaries appointed for them are leſs then the Profits ariſeing to the Clerks of other ſupream Courts yea then theſe of many Clerks of inferior Judicatories And ſeeing if any excreſcence ariſe from the Petitioners their offices by the articles of Regulation more then payes the ſmall Sallaries appointed to them and their Subſtituts and Collector It is juſt and reaſonable not only that the ſame belong to the Petitioners but likewayes that they have a greater proportion therof then is allowed by the articles And ſince no exorbitancie in the Exerciſe of the Petitioners their offices nor illegall Exaction hath or can be complained of againſt them and that they are content the ſame be prohibit under the ſtricteſt Certifications And becauſe it is ſo much the intereſt of the Leidges that perſons in the Petitioners their truſt ſhould have encouragement ſuitable to what they and their Predeceſsors in office have allwayes enjoyed and to the Qualifications requiſite for that truſt and the pains care attendance and hazard to which the Petitioners are therby ſubjected Therfor Craveing His Grace and the Honourable Eſtates of Parliament to reſtore the Petitioners to the enjoying and uplifting of the dues and caſualities of their offices Eſtabliſhed to them by the former Acts of Parliament and to prohibite all unwarrantable Exactions in what manner his Grace and the Honourable Eſtates of Parliament ſhould think fit Or if it ſhall not now be thought expedient to alter the method preſcrived by the articles of Regulation that three parts of whatever emoluments ſhall ariſe from the Petitioners their offices and pains in proceſses after the firſt of November nixt might be ordained to be equally diſtribut amongſt the Petitioners and the fourth part therof among their Subſtituts in the outer houſe The Collector in that caſe getting the ſallary appointed by the articles of Regulation as the said Petition in it ſelf bears Which Petition being read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have ordained and hereby ordain the yearly ſallary of four thouſand merks to be payed to each of the Petitioners and of two thouſand merks to each of

their Subſtitutes in the outer houſe and ane Hundred pound ſterling to the Collector of their dues ariſeing from Proceſses to be proportionally abated in caſe of deficiency of the fonds appointed by the Regulations in manner therin contained And in caſe of excreſcence of the dues over and above the Payments of the ſaids yearly ſallaries Ordains that three Parts of the said excreſcence of whatſomever dues ſhall be payed to the said Collector to be equally diſtribute amongſt the saids Petitioners and the fourth Part of the said excreſcence equally amongſt the ſaids Subſtitutes in the outer houſe And hereby Declares that all other dues and caſualities belonging to the Petitioners not comprehended under the articles of Regulations one thouſand ſix Hundred and Ninty five and one thouſand ſix Hundred and ninty ſix years Do remain intire to be payed to and uplifted by the Petitioners conform to their former rights with the Burden of the Rents of their Writeing chambers and other Burdens of their offices.

Recommendation to His Majeſtie in favors of Henry Navel Payne

AT EDINBURGH the fifth day of October I^m vj^c and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Henry Navel Payne Priſoner in Stirling Caſtle humbly Shewing That the Petitioner above three years ſince was after haveing been upon his tryall left to His Majeſties pleaſure whither to be tryed again in Parliament or at the Juſtice Court and one Seſsion haveing ſince paſt Therfor humbly Craveing His Grace and their Lordſhips so to repreſent the long ſuffering of the Petitioner to His Majeſtie as may obtain from him ſome end to his preſent miſery by Baniſhment or otherwayes as His Majeſtie ſhould think fit And in the mean time to Recommend him to the Lords of Theſaury for Payment of ſome ſmall debts he has contracted for his neceſsary ſubſiſtance since his impriſonment in Scotland, as the said Petition bears. Which Petition being read in preſence of and Conſidered by the Eſtates of Parliament they have Recommended and hereby Recommends the Petitioners caſe to His Majeſties favor And in the mean time Recommends him to the Commiſsioners of the Theſaury for Payment of the debts he has contracted for his neceſsary ſubſiſtance ſince his impriſonment.

Act in favors of Wm Lord Bargany for building a Bridge upon the water of Girvan

AT EDINBURGH the fifth day of October one thouſand Six Hundred and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and Honourable Eſtates of Parliament by William Lord Bargany for himſelf and in name and behalf of the Heritors and others within the Pariſh of Daylie and other paroches adjacent Shewing That through the want of ane Bridge over the water of Girvan, betwixt the water mouth and the bridge of Blairquhan which are upwards of ten miles diſtant there have periſhed above ſixteen perſons within theſe few years wherof severalls were ſtrangers travelling betwixt Wigtoun and Air and other places in thoſe ſhyres And albeit there be few places of the Kingdom where there is greater repair occaſioned by the carrieing of cattle and wool from Galloway and merchants travelling upon that account to Air Irvine Glaſgow Stirling and Edinburgh yet ſuch is the preſent poverty of that Countrey that there can be no reaſonable way found out to provide a Bridge for preventing the loſs of ſome Perſons almoſt once & ſometimes oftner every year and particularly since November laſt four or five perſons periſhed betwixt Bargany and Newdaylie And the Petitioner being Patron of Mayboill and Calmonell, and Mayboill haveing being vacant for two years viz. I^m vj^c and ninty four and I^m vj^c and ninty five and Calmonell one year viz. this year I^m vj^c and ninty ſix The Preſbitrie of Air takeing to their Conſideration the neceſsity of a Bridge upon the ſaid water in the moſt convenient Place betwixt Bargany and the ſaid Kirk of Daylie or betwixt Dalquharran and the milne of Drummochrein did apply to the Petitioner to imploy the saids vacant ſtipends for that end as a moſt pious and neceſsary uſe And albeit the Petitioner was convinced of the uſefullneſs and neceſsity of a Bridge within the ſaids Bounds And that he had imployed former vacant Stipends for the pious uſes within the saids Pariſhes yet was ſcrupulous to imploy the preſent vacant ſtipend that way as not being ſufficiently warranted by Act of Parliam^t which mentions only pious uſes within the Pariſh And therfor Craveing His Grace and the Honourable Eſtates to Conſider how much a Bridge upon the said water would contribute for the ſafety and preſervation of his Majeſties Leidges and their encouragement in the matter of trade The water in the ſaids Bounds for almoſt the one half of the year not being fuirdable Therfor to Warrand & authorize the Petitioner to imploy the vacant ſtipends of the ſaids Pariſhes the years forſaids for building a ſtone Bridge over the water of Girvan at any place that ſhall be judged moſt convenient betwixt Bargany and the Walk milne of Drummochrein As alſo to grant Warrand for voluntary Collection to be made in the Churches of the ſeverall ſhires of Galloway & Air upon the firſt Sunday of January nixt to come for makeing up what the vacant ſtipends ſhall come ſhort of the expences of the Bridge as the said Petition bears Which being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby Grants Warrand and authorizes the Petitioner to imploy the vacant ſtipends of the Churches above mentioned for building a ſtone Bridge over the water of Girvan at ſuch place as ſhall be found moſt convenient betwixt

Bargany and Drummochrein And likewayes have Granted and hereby Grant Warrand for a voluntary Collection to be made at the severall Churches of the severall ſhyres of Air and Galloway upon the firſt Sunday of January nixt for makeing up what the saids vacant Stipends ſhall come ſhort of the expenſs of Building the ſaid Bridge

[Anent building a Bridge upon the water of Aven]

REPORT from the Committee for Trade anent the Building of a Bridge upon the water of Aven Bearing that a voluntar Contribution ſhould be appointed for that end through the Kingdome As alſo that a certain impoſition be granted upon every loaded horſe and cart paſsing the said bridge when built for mentaining therof read voted and approven.

[Protestation against it]

PROTESTATION the Toun of Linlithgow Proteſting that their right may be Reſerved to them as accords notwithſtanding the said grant.

[Anent killing of Smolts]

DRAUGHT of an Act againſt Killing of Smolts and the young fry of ſalmond brought in from the Committee for Trade read the firſt time and ordered to lye on the table

[The Highland Commiſsion]

OVERTURE for Bringing in an Act for Prorogating the Power of Granting the Highland Commiſsion and for makeing the ſame more effectuall Remitted to the Committee for Security.

[Executions within the Stewartry of of Monteith]

ACT appointing Proclamations and all Legall Executions within the Stewartry of Monteith to be Publiſhed and Execute at the mercat croſs of Down in place of the Top of Lata read the firſt time and ordered to lye on the table.

Protection in favors of Sir David Cuningham of Robertland

AT EDINBURGH the fifth day of October I^m vj^c^ and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by Sir David Cuningham of Robertland humbly Shewing That where he gave in a former Petition to which Mr David Cuningham hath been pleaſed to make anſwers after his own faſhion without takeing notice of any thing materiall in his said Petition ſave to ſhift a diſcuſsion of the Petitioners Reduction and Declarator already depending befor the Parliament and to reflect upon the Petitioner moſt falſly as if he had offered to murder his father The Petitioner moſt humbly Repreſents firſt That the Reduction and Declarator that the Complainer inſiſts in is already ſuſtained and Depending befor this Honourable Court and doth indeed proceed upon ſuch a ſpeciall though moſt true ground that it is only competent before the Eſtates of Parliament Secondly That the Repreſentatione Mr David makes againſt the Petitioners aliment, is firſt improper and impertinent for him, ſince he is not a reall and true creditor Secondly It is falſe, for the Barrony of Capringtoun is not worth five thouſand merks a year to the Lady Killmares the Petitioners ſpouſe for though it was bought at the Rate of fourſcore thouſand merks yet it had then a good going coall of which the Petitioner and his Spouſe denuded themſelves for an annuity of three thouſand merks out of the Lands of Killmares which annuity the Petitioner has again ſold for Payment of his debt So that by my Lady Killmares Joynture ſhe and the Petitioner have not above two thouſand five hundred merks which is by far too little for her ſelfe conſidering her quality and other circumſtances And Tertio the Coall of Cambuſkeith which he repreſents to be worth fourty pound weekly doeth not pay above three Hundred merks a year. Wherby it is evident that the Petitioners deſire for aliment cannot be refuſed on theſe grounds which were the only grounds that moved the Lords of Seſsion to refuſe the ſame But seeing that all the Petitioners debt is not much above fourty thouſand merks and that his Eſtate is worth better then four thouſand merks a year and is only incumbered by Mr David's pretentions that are groundleſs there is all reaſon that he ſhould have an aliment And seeing that beſides the said aliment craved the Petitioner has alſo obtained the Conſent of his Creditors for his liberation Therfor Craveing His Grace and their Lordſhips to Conſider the Petitioners former Petition notwithſtanding of Mr Davids groundleſs and inſignificant anſwers And beſide the aliment craved to grant the Petitioner a Protection for his Perſon seing he has the forſaid Conſent and is ſo unluckily circumſtantiat by Mr David as is known to all acquainted with this buſineſs, as the said Petition bears Which Petition being upon the Twenty fourth day of September laſt bypaſt read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament with the Declaration of his Creditors (therewith produced wherby they Conſent to his Liberation upon his Conſigneing of a diſpoſition of his Eſtate ay and while they were payed of the ſoumes due to them) They by their Deliverance written on the back of the ſaid Petition Ordained the Creditors to ſee and anſwer againſt the then to morrow why the deſire of the Petition ought not to be granted. Conform to the which Deliverance the Creditors of the said Sir David Cuninghame of Robertland gave in the Reaſons and anſwers following why he ſhould neither be ſet at liberty nor alimented out of his pretended Eſtate Makeing mention that the said Sir David fraudulently in prejudice of his Creditors diſponed the Lands of Cambuſkeith which was his only property, and aſsigned the Sums due

by the Earle of Glencairn and Sir William Cuninghame to Thomas Cochran of Pokellie his ſon in law and inſinuate upon his father to have diſponed his intereſt in Robertland to the ſaid Thomas alſo Secundo when Mr Dalmahoy left ten thouſand merks to the Lady Kilmaers which belonged to him jure mariti he gave her a ticket therfor And when her daughter was married to Pokellie he gave ten thouſand merks more of tocher at the Lady Kilmaers deſire upon account of that ticket: And yet when he broke, that the Creditors might be farder disappointed he Corroborats that ticket and accumulates the annual rents and Extends the soume to fourteen thouſand merks and oblidges him to pay the ſame to Lord John Hamilton for his Ladys behoof whereupon adjudication has followed. He raiſed a proceſs before the Parliament in name of Duke Hamilton and Enterkine for Declaring the Eſtate of Robertland at their diſpoſall and free both of his and Corſhills debts So that his whole work was in defraud of his Creditors When the Eſtate was Sequeſtrat in the year 1690 vjc and ninty two by the Lords of Seſsion and an factor appointed he violently diſpoſeſt the factor and notwithſtanding of the Sequeſtration and depending ſuſpenſion at the Tennents inſtance againſt him he forces them to pay the Rent. If Robertland were inſiſting in his Ceſsio bonorum befor the Seſsion he behooved to condeſcend how he became lapſus and it were ſufficient objection againſt his Ceſsio that he had granted fraudulent rights in prejudice of his Creditors And as for granting him a Protection it has been the conſtant grievance of the Nation who haveing bonds of their Debitors are therby entitled to uſe all perſonall and Reall Execution. And becauſe the late Kings formerly gave Protections Therfor the Meeting of Eſtates in the Claim of Right Declared that the Granting of perſonall Protections for civill debts is contrary to Law. And there can be nothing more contrary to reaſon then to grant a debitor an perſonall Protection wherby he not only neglects his Creditors but harraſses his tennents and debitors (as Robertland did when at liberty) being by his Protection freed from all Execution of Juſtice and the Squalor Carceris perſwades debitors to do Juſtice to their Creditors, wheras their Liberty inures them to obſtinacy and neglect of their Creditors and even to a contempt of them And when a debitor is incarcerat and ultimate diligence done againſt him it was never heard that he could be liberate but upon Citation of his Creditors and never debitor for Civill debt was liberat by Parliament. If any conſent be produced the ſame is by perſons who are not Creditors, or whom he has fraudulently preferred to others: And however though Liberation be granted as to thoſe Creditors yet as to others whoſe conſent are not produced Liberation cannot proceed. And conſidering that he has conſumed the Rent of Capringtoune the Property of Cambuſkeith, the Rent of Robertland wherof he was factor conſtitute by Corſhill, ten thouſand merks he got by his uncle Sir James and the forſaid ten thouſand merks he got by Mr Dalmahoy and near ane hundred thouſand merks of an yearly annuity he got from the Earle of Glencairn he can condeſcend upon no cauſe for his miſfortune but his Prodigality and though he be Cautioner for Corſhill for severall debts yet he has payed none of thoſe and Corſhill is Cautioner for him in greater value, and Robertlands own Eſtate will not pay the half of his debts. As for an aliment beſides that his Lady is well provided by the liferent of the Barrony of Capringtoun and himſelf by the coall of Cambuſkeith which payes at preſent upwards of ſix hundred merks yearly whereas many families of his poor Cretlitors have not ſo much amongſt them all, he can have no aliment in regaird he acknowledges himſelf Bankrupt and has a Summonds of bonorum depending before the Seſsion and the aliment being refuſed by the Seſsion ought not to be granted by the Parliament that being res judicata and no Proteſtation upon the head of injuſtice entered agt the same In reſpect wherof he can have no Protection Becauſe Protections for civil debts are by the clame of right Declared contrary to Law, And he cannot be liberat becauſe incarcerat for his debts and his Creditors at whoſe inſtance he is incarcerate are not called nor heard: And he can have no aliment becauſe his eſtate is more then twice exhauſted and he by his marriage weel provided as the ſaids anſwers in themſelves likewayes bears And His Majeſties High Commiſsioner and the Eſtates of Parliament haveing upon the day and date hereof Conſidered the forſaid Petition with the above written anſwers therto They by their deliverance written on the ſd Petition have Granted and hereby Grant perſonall Protection to the Petitioner he granting a Diſpoſition of his whole Eſtate before Extracting in favors of his Creditors and makeing faith thereupon in common forme. And have Declared and hereby Declares that in caſe he medle with the Rents or diſturb the tennents and factor preſent diligence is to be uſed againſt him at the Creditors inſtance to be put to Execution notwithſtanding of the said Protection And have Granted and hereby Grants Warrand to the Magiſtrats of Air to ſet the Petitioner at liberty Conform to which above written Deliverance the said Sir David Cuninghame did give in to the Earl of Selkirk Lord Regiſter and his deputs ane diſpoſition in favors of his Creditors of the Lands and Barrony of Robertoun and oþr Lands þin expreſt With all and ſundry other Lands heretages tacks ſteidings roums poſſeſsions goods geir debts ſums of money & oþrs whatſomever belonging to him or which he ſhould happen to Conqueſs and acquyre or ſhould pertain & belong to him dureing his lyfetyme in manner fully expreſt in þe said diſpoſition wch is dated at Air

þe thirteenth day of Octo^{r} inſtant As the ſamine with his oath and depoſition taken thereupon in þe terms of þe ſaid interloquitor more fully containes

[Anent the Poor] ACT anent the Poor, read for the firſt time and ordered to ly on the table.

[Seaforth against Pitliver] PETITION the Earle and Counteſs of Seaforth againſt Sir John Dempſter of Pitliver Craveing a Suſpenſion of the decreet obtained at Pitlivers inſtance the laſt Seſsion of Parliament againſt them and the Conſideration therof delayed till to morrow.

[Counteſs of Callendar ag^{t} the Earl of Linlithgow] PETITION the Counteſs of Callendar againſt the Earle of Linlithgow Craving a ſentence of aliment granted by the Secret Councill may be reviewed by the Parliament or Remitted to the Lords of Seſsion, Read, & it being put to the vote If the Earle ſhould be Cited in common forme or ordered to anſwer the Petition, it carried Cite in common form.

[Huntar of Muirhouse] PETITION Alexander Huntar of Muirhouſe for a perſonall Protection, read, and the Creditors of Murehouſe ordained to ſee and anſwer againſt Thurſday next

Protection in favours of Alex^{r} Bruce of Kinaird AT EDINBURGH the fifth day of October one thouſand ſix hundred and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Alexander Bruce of Kinaird Shewing That the Petitioner was engaged in great and conſiderable ſums as Cautioner for the Laird of Clackmannan his brother in Law and was alſo neceſsitate to Contract a great many debts of his own in regaird his Eſtate was long ſequeſtrat by the Engliſh And likewayes Clackmannan the principall debitor made a diſpoſition of his eſtate in favors of his Creditors Be vertue wherof they are not only in Poſſeſsion but alſo the Lords of Seſsion have Set a tack of the eſtate of Clackmannan The tack duty wherof will do more then ſatiffie the ärents of the ſums wherin the Petitioner is bound for Clackmannan And furder the Petitioner hath alſo made a diſpoſition of his Eſtate in favors of his Creditors who therby get conſtant payment of their ärent which is all that either the principall debitor or the Petitioner could perform to their Creditors And ſeing the Creditors are ſo ſecured and will have right to the tack duty of Clackmannans Eſtate being preferred therto by the decreit of Ranking and will alſo have right to the maills and duties of the Petitioners eſtate upon the diſpoſition made to the Creditors And therfor humbly Craveing That His Grace and the Honourable Court of Parliament in conſideration of the Petitioners Sufferings and Circumſtances would grant him a Protection to his perſon untill the Eſtate be ſold by roup or for the time of the continuance of the Tack of Clackmannan or for ſuch a time as ſhould be thought fitting And dureing that ſpace to diſcharge all Meſsengers and others to trouble moleſt arreſt or apprehend his Perſon for any civil cauſe As the ſaid Petition bears Which being read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby Grant perſonall Protection to the Petitioner and Diſcharged and hereby Diſcharges all meſsengers and others to put any Captions or acts of wairding in Execution againſt the Petitioner for any Civil cauſe or debt whatſomever.

THE Committees appointed to meet to morrow at nine a clock.

THEN the Lord Chancellour by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon

OCTOBER VI, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read.

Act in favors of Mr James Forreſter advocat PETITION Mr James Forreſter Craveing he may be allowed to qualifie himſelf before the Lords of Seſsion not being able to attend the Parliament becauſe of his preſent indisposition to the effect he may be restored to the exerciſe of his imployment as an advocat, read, and the deſire thereof granted as follows.

[Additional Commiſsioners of Supply] MOVED that the Liſts of additionall Commiſsioners of Supply given in by the Commiſsioners for the ſhire of Fife be Reſtricted as to the number there being a great number of Commiſsioners of Supply for that ſhire already The Queſtion was ſtated whither there ſhould be any additionall Liſt of Commiſsioners for that ſhire or not or if the additionall Liſts ſhould be reſtricted as to the number, or by valued Rent and after ſome debate it was voted whither firſt or second member of the Queſtion ſhould be the ſtate of the vote and carried the firſt.

THEN it was put to the vote whither there ſhould be an additionall Liſt of Commiſsioners for the ſhire of Fife or not and it carried in the negative

THERAFTER the additionall Lifts for the reſt of the ſhires were read.

MOVED that Magiſtrats of Royall Burghs ſhould not as ſuch be Commiſsioners of Supply for any ſhire, but only where they are Heritors of the ſhire which was agreed to.

[Act of Supply] ORDERED that the Act of Supply be Printed and publiſhed and the Solicitor appointed to Diſpatch copies therof to the ſeverall ſhires and Burghs of the Kingdom.

[Mr James Oliphant of Langtoun] PETITION Mr James Oliphant of Langtoun Craveing he may be allowed to Qualifie himſelfe to the effect he may be reſtored to the Exerciſe of his imployment as ane advocat read and the deſire therof granted

[Anent the subscribing of blank writs] DRAUGHT of an Act againſt the ſubſcribeing of blank writts and touching the inſtructing of truſts brought in from the Committee for Security of the Kingdom read the firſt time and ordered to ly on the table

[Anent raiſing Levies and Recruits] DRAUGHT of an Act for raiſeing of Levies and Recruits read the second time and after ſome amendaments voted and approven

[Anent persons declared Bankrupt] ACT that no Perſon declared Bankrupt or haveing a Protection upon a Ceſsio bonorum ſhall continue or be elected a Commiſsioner to the Parliament, read the firſt time and ordered to ly on the table.

[Coyning of Copper] THE Draught of the Act for Coyngieing a certain quantity of Copper read and after ſome debate it being put to the vote Proceed or Delay It was carried proceed Then the vote being ſtated approve the Act or not it carried approve.

THE Committies appointed to meet to morrow at four a clock in the afternoon

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Thurſday nixt at ten a clock in the forenoon

Act in favors of Sir Alexr Cumming of Culter Advocat AT EDINBURGH the Sixth day of October one thouſand ſix Hundred and ninety ſix years Anent the Petition given in and preſented to His Majeſties High Commiſsioner and the right Honourable the Eſtates of Parliament by Sir Alexander Cumming of Culter humbly Shewing That where the Petitioner being neceſsarly abſent when the oaths were adminiſtrat to the members of the Colledge of Juſtice hes never ſince Exerced his imployment as an Advocat although the Petitioner hes given teſtimony of his affection to the Government by takeing the oaths in another capacity And seing the Petitioner is ſtill willing to qualifie himſelf conform to Law in the ſtation of an advocat Therefor Craveing His Grace and Honourable Eſtates of Parliament to allow the Petitioner to Exerce his imployment as an advocat he qualifieing himſelf conform to Law as the ſd Petition bears Which being upon the fifth day of October inſtant read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written theron Recommended the Petitioner to the Committie for Security to adminiſtrat the oath of alleadgeance and aſsurance to him to the effect he may be reſtored to the Exerciſe of his imployment as an advocat By vertue of which deliverance of Parliament the Petitioner did upon the day and date hereof In preſence of the Committee for Security of the Kingdom Swear and Signe the alleadgance to His Majeſtie and Signed the aſsurance in the Schedulls with the Advocats.

Act in favors of Mr Charles Gray Advocat AT EDINBURGH the ſixth day of October one thouſand ſix hundred and ninety ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Mr Charles Gray advocat humbly Shewing That the Petitioner not being qualified as ane advocat in the terms of the Act of Parliament Imo vjc· and ninty three and therby being debarred from the Exerciſe of that imployment and being now willing to give all due obedience to the ſaid Act by Qualifieing himſelf according to the tenor therof Therfor Craveing His Graee and Honourable Eſtates of Parliament to grant liberty to the Petitioner to Exerce his imployment as formerly upon his Qualifieing himſelf according to Law as the ſaid Petition bears Which being upon the fifth day of October inſtant Read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written theron Granted the deſire therof and allowed the Petitioner to qualifie himſelf in preſence of the Committee for Security of the Kingdome in manner and to the effect above repreſented By vertue of the which deliverance of Parliament the Petitioner upon the day and date hereof did in preſence of the Committee for Security of the Kingdom Swear and ſigne the alleadgeance to His Majeſtie and Signe the aſsurance in the Schedules with the Advocats.

Act in favors of Archbald Cockburn younger of Langtoun Advocat

AT EDINBURGH the Sixth day of October I^m vj^c^ and ninety six years Anent the Petition presented to His Majesties High Commissioner and the Estates of Parliam^t by Archbald Cockburn younger of Langtoun humbly Shewing That the Petitioner not haveing qualified himself conform to the Act of Parliament for Excerceing his imployment as an Advocat It may be questioned if he have not incurred the certification contained in the Act notwithstanding of his being out of the Kingdom the time of the makeing of that Act and ever since And therfor Craveing His Grace and the Estates to allow the Petitioner to follow his imployment as an Advocat he qualifieing himself according to Law as the said Petition bears Which being read in presence of and heard by his Majesties High Commissioner and the Estates of Parliament upon the fifth day of October instant They by their Deliverance written theron allowed the Petitioner to Qualifie himself befor the Committee for Security of the Kingdome to the effect above represented By vertue of the which deliverance of Parliament in presence of the Committee for Security of the Kingdom The Petitioner upon the day and date hereof did Swear and signe the alleadgeance to his Majestie and signed the assurance in the Schedules with the Advocats.

Act in favors of Mr James Nasmith of Daick Advocat

AT EDINBURGH the Sixth day of October one thousand six Hundred and ninety six years Anent the Petition presented to his Majesties High Commissioner and the Estates of Parliament by Mr James Nasmith of Daick humbly Shewing That the Petitioner haveing incurred the certification contained in the Act of Parliament by omitting to qualifie himself for his employment as ane advocat is desireous now to be allowed to do the same Therfor Craveing His Grace and the Estates to allow the Petitioner to follow his employment he qualefieing himself for that effect according to Law as the said Petition bears. Which being upon the fifth day of October instant read in presence of and heard by His Majesties High Commissioner and the Estates of Parliament They by their Deliverance written theron allowed the Petitioner to Qualifie himself befor the Committee for Security of the Kingdom to the effect above represented. By vertue of which deliverance of Parliament in presence of the Committee for Security of the Kingdom the Petitioner did upon the day and date hereof Swear and signe the alleadgeance to His Majestie and signed the assurance in the Schedules with the Advocats.

Act in favors of Mr Alexander M^c^Leod Advocat

AT EDINBURGH the Sixth day of October I^m vj^c^ and ninety six years Anent the Petition presented to His Majesties High Commissioner and the Estates of Parliament by Mr Alexander M^c^Leod Advocat humbly Shewing That the Petitioner having incurred the Certification contained in the Act of Parliament by omitting to qualifie himself for his imployment as an Advocat is desireous to be allowed now to follow the same Therfor Craveing His Grace and the Estates to allow the Petitioner to follow his imployment he qualifieing himself for that effect according to Law, as the said Petition bears Which being Read in presence of & Considered by His Majesties High Commissioner and the Estates of Parliament upon the fifth day of October instant They by their deliverance written theron allowed the Petitioner to qualifie himself befor the Committee for Security of the Kingdom to the effect above represented By vertue of which deliverance of Parliament the said Petitioner upon the day and date hereof in presence of the said Committee for Security of the Kingdom did swear and signe the alleadgeance to his Majestie and signed the assurance in the Schedules with the Advocats.

OCTOBER VIII, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the last Sederunt read.

DRAUGHT of an Act Ratifieing the Proclamation of Councill anent the Pole read the first time and the Proclamation of Councill being also read the Act was ordered to ly on the table [Anent the Pole]

THE Draught of the Act for Payment of Creditors of forfaulted estates by giveing them Land for their debts read the second time and after some amendments voted & approven [Creditors of forfaulted Estates]

THE Draught of an Act anent Protestant servants in popish families read the second time voted and approven [Protestant Servants in Popish families]

ACT for the Poor and visitation of hospitalls read the second time and after some amendments voted and approven [Anent the Poor &c.]

ACT for alimenting poor prisoners in Burghs Royall, read the first time and ordered to ly on the table [Poor Prisoners in Burghs]

THE Draught of the Act against the Subscriveing of blank writts and touching the instructing of trusts read the second time voted and approven [Subscriveing of Blank writs]

[Schools & School-masters] THE Draught of the Act for Setling of Schooles and provideing of maintainence for Schoolmaſters read the second time and after some amendments voted and approven

[Anent Bankrupts] THE Draught of the Act that no perſon declared Bankrupt or that hath taken a Protection or made a Ceſsio bonorum continue or be elected a Commiſsioner to the Parliament read the second time and the Queſtion being ſtated approve the Act or amend it carried amend and the furder Conſideration therof delayed till the nixt meeting of Parliament

[Sugar Manufactory at Glasgow] THE Draught of the Act for erecting a new Sugar manufactory at Glaſgow read the second time and after some amendments voted and approven

[Import of forraign victuall] THE Draught of the Act approving the Proclamation of Councill for encourageing the import of forraigne victuall read a second time voted and approven.

[Cobbs & old fourteens] ACT that cobbs and old fourteens and their fractions paſs by weight at the value of three pound four ſhilling the ounce read the firſt time and ordered to ly on the table.

[Bringing in water to Burghs] DRAUGHT of an Act in favors of Mr James Smith for bringing in water to Burghs and other places where water is ſcarce read the second time and ordered to be brought in the nixt dyet of Parliament .

[Sheilling & preparing of Barley] THE Draught of the Act for ſheilling and preparing of Barley read the second time and ordered to be brought in the nixt dyet of Parliament

[Anent Duelling] DRAUGHT of an Act againſt duelling brought in from the Committee for Security read the firſt time and ordered to ly on the table

[Justiciary in the Highlands] DRAUGHT of an Act brought in from the said Committee for prorogating the Commiſsion of Juſticiary in the Highlands read the firſt time and ordered to ly on the table.

ADDITIONALL Act anent the Juſticiary in the Highlands read the firſt time and ordered to ly on the table

[Appearand heirs] ACT for Reſcinding the Retroſpect of the twenty fourth Act of the fifth Seſsion of this current Parliament Entituled Act for obviating the fraud of appearand airs, read the firſt time and ordered to ly on the table.

[Anent securing the persons of Minors] ACT for Secureing the Perſons of Minors within Pupillarity againſt Caption and other Perſonall Execution read the firſt time and ordered to ly on the table

[Exportation of Irish Cattle &c.] ACT againſt the Exportation of Iriſh cattle Iriſh horſe and Iriſh ſalt beef read the firſt time and ordered to ly on the table.

[Woollen Manufactory at Newmilns] PETITION the woollen Manufactory of Newmilnes Craveing a Prohibition of the import of forraigne cloath Remitted to the Committee for Trade to bring in an Act therupon

[False Coyn] ACT againſt Clipping and falſe coyning read the firſt time and ordered to ly on the table

[Mixing Salt in Ale] DRAUGHT of an Act againſt mixeing ſalt in ale brought in from the Committee for Trade read the firſt time and ordered to lye on the table

[James Bain His Majesties Master Wright] PETITION James Bayne His Majeſties late maſter wright Craveing a fond to be appointed for reimburſeing him of the ſums he beſtowed upon the Publict Buildings of the Kingdom Remitted to the Committee for Security & ordered to be brought in the nixt dyet of Parliam^t

Recommendation in favors of Robert Martine of Burnbrae AT EDINBURGH the Eight day of October I^m vj^c and ninty ſix years Anent the Petition preſented to His Majeſties High Commiſsioner and the right Honourable the Eſtates of Parliament by Robert Martine of Burnbrae late tackſman of the additionall inland Exciſe in the ſhire of Aberdeen Impoſed by Act of Parliament I^m vj^c and ninety three humbly Shewing That where upon the Petitioners entry into the ſaid tack he did meet with ſuch diſcouragements and difficulties by reaſon of Edicts printed and publiſhed by a certain number of the Commiſsioners of Exciſe in Aberdeen ſhire on whom though the Petitioner intended not to Complain yet he muſt take leave for His Grace and y^r Lordſhips better information to repreſent That by theſe Edicts Declareing the three Pennies of the Pint to be no better then twenty ſhilling upon the boll and by their backwardneſs to give the Petitioner the concurrence

that might have been expected from Perſons in their truſt, the Petitioner was prejudged irrecoverably to that degree that he is ſhort more then nine thouſand pounds of the tack duty he owes to the Principall tackſmen which he can never pay without his own loſs and ruine, wherby it happened that the Petitioner was neceſsitated much againſt his mind to lay his caſe befor the Lords of His Majeſties Privy Councill who were ſatiffied that he had ſuſtained damnages But in regaird that the ſaids Commiſsioners being offended did likewayes reconveen the Petitioner and that the matter could not be brought to any other accommodation The Lords of Councill by their ſentence in Auguſt laſt aſsoilzied both the Commiſsioners and him hinc inde but withall Recommended it ſeriouſly to the ſaids Commiſsioners to Conſider his ſaid damnages and to do therin as they ſhould ſee cauſe and that betwixt and the tenth of September laſt as the Sentence of the Privy Councill produced with the ſaid Petition bears Wherupon the Petitioner did addreſs himſelf to the ſaid Commiſsioners But all the anſwer he got was that they were ready in obedience to the ſaid Recommendation to give the Petitioner any aſsiſtance was in their power to uplift the deficiency of the ſaid Exciſe and that this was all they could do in the matter Whereby the Honourable Court of Parliament may evidently obſerve, firſt That the Lords of Privy Counſell were ſatiffied that the Petitioner had ſuſtained damnages on the account forſaid: Secondly That for the Petitioners reparation they ſeriouſly Recommended him to the forſaid Commiſsioners of the ſhire And farder did limit them to the tenth of September laſt which its known was done that in caſe the Petitioner got not in that time Redreſs from the Commiſsioners he might apply to his Grace and ꝑ Lordſhips who were then to meet the eight of the ſaid moneth. Tertio That the Petitioner hes gotten no redreſs nor can he expect any from the ſaid Commiſsioners It being certain that the damnadge that the Petitioner ſuſtained was both by the Encouragement the Brewars got to refuſe juſt entrys als well as agreements and likewayes by breaking of many through theſe conteſts that are now utterly deſperat ſo that in all humility the Petitioner muſt Proteſt befor His Grace and their Lordſhips that notwithſtanding of the outmoſt diligence and pains the Petitioner has taken in this matter unleſs this Honourable Court of Parliament find ſome relief for him he muſt ſink under the forſaid burden there being viſibly no other relief for him And therfor Craveing His Grace and their Lordſhips in conſideration of the Premiſses and that it were in effect ane hardſhip which the equity of this honourable Court will never allow that a poor man ſhould be innocently ruined for his Service offered to the Government to take cognition of the Petitioners forſd heavy and irrecoverable Loſses and to provide ſuch remedie and relief as his Grace and their Lordſhips ſhould in Juſtice and equity think fitt as the ſd Petition bears. Which being read in preſence of and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament they have Recommended & hereby Recommends the Petitioner to his Majeſtie for Reparation of his Loſses in ſuch manner and way as his Majeſtie in his Royall bounty ſhall think fitt.

Protection in favors of James Currie late Provest of Edinburgh

AT EDINBURGH the Eight day of October one thouſand ſix hundred and Ninety ſix years Anent the Petition preſented to his Majeſties High Commiſsioner and the high and honourable Court of Parliament by James Currie late Proveſt of Edinburgh humbly Shewing That where His Grace and their Lordſhips Petitioner hes born publict office within the Toun of Edinburgh theſe many years bygone wherin he behaved himſelf with all the integrity and diligence that lay in his power to the ſatiffaction of the whole inhabitants for the good profit and advantage therof And particularly when he was Proveſt he with the concourſe and advice of the other Magiſtrats Common Councill and Community of the ſaid Burgh was chiefly inſtrumentall be his care and induſtry in bringing in the Conduit of water to the Toun that ſtood in great need therof And alſo in laying and repairing the Caſsies in & about the Toun and the wayes betwixt Edinburgh and Leith and severall good works that were done and performed then all which ſtood a great Sum of money yet the Touns Credit was ſtill keept intire by paying their annuall rents and ſome ſmall principall ſums without Contracting debt all that time And now it hath pleaſed God to viſite him with ſo great loſses and ſufferings by ſea and bad debitors both in this Kingdom and England and elſwhere that his Grace and their Lordſhips Petitioner is reduced to that condition that he is not able to pay his own Creditors (which yet Bleſsed be God is not conſiderable) But ſome of them are ſo violent that they will grant him no time to ſee after his affairs, & get up any thing that is probable he may receive for their ſatiſfaction Wherfor he hath been put to ſhelter himſelf this while paſt in the Abbay And the Petitioner being moſt willing to grant all ſatiſfaction to his Creditors that lyes in his power has Subſcrived a Diſpoſition of all Fortune and Eſtate preſently belonging to or which hereafter ſhall belong to him which is all that they can juſtly demand the impriſonment of the Petitioners perſon not being profitable to them and that he is become ane old valitudinary man. And seing his Grace and Eſtates of Parliament are ſufficiently authorized to grant perſonall Protections to ſuch as are in the Petitioners circumſtances And therfor Craveing His Grace and their Lordſhips to take the Premiſses to their serious conſideration and thereupon to

grant the Petitioner a perſonall Protection for a certain time as the ſaid Petition bears. Which being read in preſence of and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliam' they have Granted and hereby Grants perſonall Protection to the Petitioner from all diligences for Civill debts untill the nixt Seſsion of Parliament

THE Committees appointed to meet to morrow at eight of the Clock.

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the Clock in the forenoon.

Act in favors of Mr James Olipfiant allowing him to qualifie himselfe as is before ſaid in the minuts of the date 6 October

OCTOBER IX, M,DC,XCVI.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

[Anent the Pole] THE Draught of the Act Ratifieing the Proclamation of Councill anent the Pole read the second time voted and approven.

[Act against Profanenefs] THE Draught of the Act againſt prophanneſse read the second time and after ſome amendments voted and approven

[Poor Prisoners in Burghs] DRAUGHT of the Act for alimenting of poor Priſoners in Burghs Royall read the second time and after ſome amendments voted & approven

[Burghs of Regality & Barrony] DRAUGHT of an Act in favors of the Burghs of Regality and Barrony read and laid aſide.

[Old 14 S. Pieces &c.] DRAUGHT of the Act that the old fourteens and their fractions paſs by weight at the value of three Pound four ſhilling the ounce read the second time and ordered to be brought in the nixt dyet of Parliament

[Killing of Smolts] THE Draught of the Act againſt killing of Smolts and the fry of Salmond read the second time and after ſome amendments voted and approven

[Executions within the Stewartry of Monteith] THE Draught of the Act appointing all Proclamations and Legall Executions within the Stewartry of Monteith to be Publiſhed and Execute at the mercat croſs of Doun, in place of the top of Latta read the second time voted & approven

[Anent Duells] THE Draught of the Act againſt Duells read the second time voted and approven

[Acts touched with the Scepter] ACT Explanatory of the Act I^mo vj^c^ and ninety five intituled Act for obviating the fraud of appearand airs Act anent the Priviledge of Burghs Royall & of Barronies anent the curing of Salmond Act in favors of Preachers in vacant Churches beporth Forth, Act in favors of Univerſities Schooles and Hoſpitalls Act allowing Securities &c. to be written book wayes Act declaring the Toun of Greenlaw the head Burgh of the Shire of Berwick Act for Security of the Kingdom Act anent the Regiſtration of Saſines Act for Regiſtrating of Summonds for interruption of Preſcription, Act anent vitious Intromettors Act anent Aliments, Act anent Expences in calumnious ſuſpenſions Act for the Levy of a thouſand men, Act for the better Payment of the Creditors of forfaulted Eſtates Act anent Blank bonds and other writts Act for Settling of Schools Act for a Sugar Manufactory at Glaſgow, Act approving the Proclamation of Counſell for encourageing the importation of Victuall Act anent Proteſtant Servants in Popiſh families Act for better provideing of the Poor Act ratifieing the Proclamation of the Councill anent the Pole Act againſt Prophaneneſs Act anent the alimenting of Poor Priſoners all touched with the Scepter by his Majeſties High Commiſsioner in the uſuall manner

ACT Explanatory of the Act 1695 Entituled Act for obviating the fraud of Appearand Heirs

OUR SOVERAIGN LORD conſidering that that part of the twenty fourth Act of the fifth Seſsion of this Parliament Entituled Act for obviating the frauds of Appearand Heirs whereby it is Statute that if any appearand heir for hereafter shall (without being lawfully ſerved or entered air) either enter to poſseſs his Predeceſsors Eſtate or any part therof or shall purchaſe by himſelf or any other to his behoove any right thereto or to any legall diligence or other right affecting the same whether redeemable or irredeemable otherwayes then the said Eſtate is expoſed to a lawfull publict roup and as the higheſt offerer therat without any Colluſion his forſaid Poſseſsion or Purchaſe ſhall be repute a behaviour as air and a sufficient paſsive title to make him repreſent his Predeceſsor univer-

ſally and to be lyable for all his debts and deeds ſicklike as if the ſaid appearand air Poſſeſſing or Purchaſing as ſaid is were lawfully ſerved and entered air to his ſd predeceſſor as the ſaid Act bears ought not in Law or reaſon be underſtood to include ſuch appearand airs who befor the makeing of the ſaid Act and according to the Law for the time purchaſed by themſelves or others partiall rights to their Predeceſſors Eſtates seing the compleating of ſuch partiall rights ſo purchaſed cannot be prejudiciall to their Predeceſſors Creditors but plainly an advantage to ſuch of them as haveing reall Securities affecting the ſaid Eſtates may be rather deſireous to have their money then to retain the ſaid Securities Doth therfor with advice and Conſent of the Eſtates of Parliament Declare that ſuch appearand airs who befor the makeing of the ſaid Act and according to the Law for the time have Purchaſed by themſelves or others partiall rights to their Predeceſſors Eſtates are not included in the above mentioned part of the ſaid Act but that they may proceed to compleat their ſaid partiall Purchaſes by farther Purchaſing and acquiring of other rights or diligences affecting the ſaid Eſtate or any part therof according to the Laws in force befor the makeing of the ſaid Act without incurring the conſtruction or hazard of a behaviour as air or of any paſsive title to make them repreſent their Predeceſſors univerſally and to be lyable for all their debts and deeds, any thing in the forſaid Act notwithſtanding.

ACT anent the Privileges of Burghs of Regality and Barrony as to the Cureing and Packing of Salmond fiſh

12 WHERAS by the fifth Act of the third Seſsion of this current Parliament the Packing and Curing of Salmond fiſh is moſt particularly provided for and that with a ſpeciall Clauſe provideing and declaring that nothing contained in the ſaid Act ſhould prejudge the rights and priviledges of any Burgh Royall Our Soveraign Lord with advice and conſent of the Eſtates of Parliament do hereby further provide and declare that nothing contained in the ſaid Act ſhall any way prejudge the rights and priviledges of any Burgh of Regality or Barrony but that the rights priviledges and long preſcrived poſſeſſions of all Burghs are hereby underſtood to be therin reſerved.

ACT in favors of Preachers at vacant Churches benorth Forth

13 OUR SOVERAIGN LORD Considering that albeit by the Act of Parliament I^m vj^c^ and ninty five Entituled Act for encourageing of Preachers at vacant Churches benorth Forth there is appointed and allowed to every one of the ſaids Preachers Twenty merks Scotts for their Preaching each Lords day forenoon and afternoon in the ſaids vacant Churches out of the firſt end of the vacant Stipends therof in manner therin ſet down Which Act (by the twenty Seventh Act of the ſame Seſsion of Parliament) is extended to Miniſters ſettled als well as Preachers not ſettled in Churches yet the ſaids Acts are not effectuall in regaird of the difficulties that the Collectors appointed for ingathering of the ſaid Twenty merks by the ſaid Act of Parliament do frequently meet with Therefore His Majeſtie with advice and conſent of the Eſtates of Parliament doth hereby Statute and Declare that the Collectors allowed to be nominat by each Preſbitry by the ſaid firſt Act of Parliament for uplifting the ſaid Twenty merks out of the vacant ſtipends within the bounds therof ſhall wherever the ſaid Twenty merks are yet unpayed and the ſaid vacant ſtipends out of which they are payable not uplifted and for ſuch vacancies as ſhall for hereafter happen have full power Likeas they are hereby empowered to call for and uplift the ſaid twenty merks from any Heritor or other Perſon one or more lyable in als much of the ſaid vacant ſtipend or from the Patron or generall Collector of the vacant ſtipends in caſe they have uplifted the ſame Ordaining Summar Proceſs befor the Sheriffs or other Judges competent at the inſtance of the ſaids Collectors for that effect and that ſuch Execution paſs on Sentences for the ſame as for Miniſters ſtipends And farder His Majeſtie with advice forſaid Declares that the ſaid Twenty merks is and ſhall be due to the Preacher or Miniſter preaching at the ſaid vacant kirks if they have or ſhall officiat therat alone upon the Lords day albeit that ſometimes by reaſon of the ſhortneſs of the day or the Peoples untimeous conveening they Preach not both forenoon and afternoon

ACT in favors of Univerſities Schools and Hoſpitalls

OUR SOVERAIGN LORD and Eſtates of Parliament being reſolved to give all due encouragement to Univerſities Schools and Hoſpitalls Do therfor extend the Acts and Lawes made in favors of Miniſters of the Goſpell for their more eaſy and ſpeedy ingathering of their Stipend, viz. That there be no ſuſpenſion except on Conſignation and as to allowance of Expenses and Summar Proces to Univerſities Schools and Hoſpitalls to the effect they may have the ſame benefite therof for uplifting and ingathering their rents and debts that the forſaid Miniſters have for their Stipends.

ACT allowing Securities &c. to be written book wayes

15 OUR SOVERAIGN LORD underſtanding the great trouble and inconveniency the Leidges are put to in finding out of clauſes and paſſages in long Contracts Decreits Diſpoſitions Extracts Tranſumpts and other Securities conſiſting of many ſheets battered togither which muſt be either folded or rolled togither Doth for remeid therof with advice and conſent of the Eſtates of Parliament Statute and Ordain that it ſhall be free hereafter for any perſon who hath any Contract Decreit Diſpoſition or other Security above mentioned to write to chooſe whither he will have the same written in Sheets battered togither as formerly or to have them written by way of book in Leafs of Paper either in folio or quarto Provideing that if they be written bookways every page be marked by the number firſt ſecond &c. and Signed as the margines were before and that the end of the laſt page make mention how many pages are therin contained, in which page only witneſſes are to ſigne in writts and Securities where witneſſes are required by Law And which writts and Securities being written bookwayes marked and ſigned as ſaid is His Majeſtie with conſent forſaid declares to be als valid and formall as if they were written on ſeverall Sheets battered togither and ſigned on the margine according to the preſent cuſtome

ACT declaring the Burgh of Greenlaw head Burgh of the Shire of Berwick

16 FORASMUCH as by ane Chartor granted by King James the Sixth of happy memory under the Great Seal in favors of Sir George Hume of Spott dated the twelfth day of December one thouſand five Hundred ninety ſix the Toun of Greenlaw was erected in a free Burgh of Barrony with ſeverall liberties and priviledges And in reſpect the ſaid Toun did ly in the midle and center of the ſhire of Berwick to which the Leidges might have commodious reſort from all parts of the ſhire And that there was no place within the ſaid ſhire more fit and convenient for Proclaiming the publict Proclamationes and uſeing and executeing of legall diligences And that the ſaids Proclamations and Executions of legall diligences might the better and more eaſily come to the knowledge of the Subjects It was appointed by the ſaid Chartor that all Proclamations whatſomever Letters Denunciations Relaxations and other Publications of whatſomever nature That the ſamine ſhould be Execute Publiſhed and Proclamed at the mercat Croſs of the ſaid Burgh of Greenlaw as the Head and Principall Burgh of the ſaid ſhire of Berwick and not at any other place or mercat Croſs within the ſaid Shire otherwayes it is declared all ſuch Proclamations Denunciations Relaxations and other Publications whatſomever ſhould be in themſelves null & void Which Chartor was Ratified by Act of Parliament dated the fifteenth day of November one Thouſand and ſix Hundred years And it being juſt and reaſonable for the reaſons and motives contained in the ſaid Chartor that the uſeing of all publict Proclamations and the Executeing of all legall diligences which are proper and in uſe to be Proclaimed and Execute at the head Burgh of the ſhire of Berwick should be Proclaimed at the mercat Croſs of the ſaid Toun of Greenlaw Therfor His Majeſtie with advice and Conſent of the Eſtates of Parliament Statutes Ordains and Declares the ſaid Toun of Greenlaw to be the head Burgh of the ſhire of Berwick And that for hereafter all publict Proclamations Hornings Inhibitiones Summonds and all other legall diligences whatſomever which by Law and Cuſtome ought to be Proclaimed uſed and Execute at the head Burgh of the ſhire of Berwick shall be Proclaimed uſed and Execute at the mercat Croſs of the ſaid Toun of Greenlaw as the head Burgh of the ſhire And Declares all Proclamations and legall diligences Publiſhed uſed and Execute that ſhall be otherwayes done to be null and void. And ordains the Sheriff Court of the ſaid ſhire to ſit, be holden and kept in the ſaid Toun of Greenlaw and that notwithſtanding of any Act of Parliament Conſtitution or Cuſtome to the contrary which are hereby Reſcinded and declared to be null and void in ſo far as the ſame is contrare to and inconſiſtent with this preſent Act And ordains this Act to be Printed and Publiſhed among the publict Laws that none may pretend ignorance therof.

ACT for the Security of the Kingdom

17 THE Eſtates of Parliament conſidering that when it ſhall pleaſe God to afflict theſe Nations by the Death of Our Soveraign Lord the King (whom God of His infinite mercy long preſerve) or by the Death of any of his Heirs and Succeſsors this Kingdom may be subjected to many Calamities by the treacherous plotts of unnaturall Countreymen and Perſons popiſhly affected at home or by the invaſion of Strangers befor new Commiſsions civil or military can be granted or a Parliament can be Summoned or called by the nixt Heir or Succeſsor to the Crown For preventing thereof His Majeſtie with advice and conſent of the ſaid Eſtates Statutes and Ordains that no Commiſsion civil or military or any Court whatſoever shall ceaſe or become void by the death of his preſent Majeſtie or any of his Heirs or Succeſsors But that the ſame ſhall continue in full force and effect for the ſpace of Six moneths after the ſaid death unleſs in the

mean time the ſame be ſtopt or recalled by the nixt immediat Succeſsor to whom the Imperiall Crown of this Kingdom ſhall deſcend according to the Declaration of the Eſtates of this Kingdom dated the eleventh day of Aprill one thouſand ſix hundred Eighty nine containing the Claim of Right and settling the Succeſsion to the Crown But prejudice allwayes to ſuch Judges who have right to their offices heretably, or ad vitam aut culpam to enjoy and exerce the ſame as before the makeing hereof And farder His Majeſtie with advice and conſent forſaid Statutes Enacts and Declares that this preſent Parliament or any other Parliament that ſhall be hereafter Summoned and called by His Majeſty his Heirs or Succeſsors ſhall not be diſsolved by the death of His Majeſtie his heirs or Succeſsors But the ſaid Parliament if aſsembled for the time ſhall and is hereby ordained to continue and is by vertue of this preſent Act impowered and required to conveen fit and act notwithſtanding of the ſaid death and that dureing the time of ſix moneths and no longer unleſs the ſame be ſooner adjourned or diſsolved by the ſaid Perſon who ſhall be nixt heir to the Crown according to the forſaid Declaration of the Eſtates And if the ſaid Parliament ſhall be under adjournment the time of the ſaid death then it ſhall meet and sit at and upon the day to which it is adjourned if the ſame ſhall fall within twenty dayes after the death forſaid Or if the day to which it may be adjourned ſhall fall to be after the ſaid twenty dayes then it ſhall meet and sit immediatly after the elapſing of the ſaid twenty dayes notwithſtanding of the forſaid longer adjournment and so continue dureing the ſaid time of Six moneths unleſs sooner adjourned or diſsolved by the forſaid nixt heir succeeding as ſaid is And it is farder Statute and Ordained that in caſe there ſhall be no Parliament in being at the time of the Death of His Majeſtie or of any of his heirs or Succeſsors then the laſt preceeding Parliament ſhall after twenty dayes after the ſaid death immediatly conveen and sit at Edinburgh And is hereby impowered and required to act as ſaid is as if the ſaid Parliament had not been diſsolved and that dureing the forſaid time of Six moneths and no longer unleſs the ſame ſhall be ſooner adjourned or diſsolved by the nixt heir of the Crown succeeding as ſaid is Provideing likeas it is hereby expreſsly provided that the ſaids Parliaments conveening and meeting by the force of this Act in the event of the death forſaid ſhall only have power to do & act what ſhall be needfull for the defence of the true Proteſtant Religion as now by Law eſtabliſhed the maintaining of the Succeſsion to the Crown as settled by the ſaid Claim of Right and for the preſerving and secureing of the peace and ſafety of the Kingdome but no wayes to alter or innovat the preſent Conſtitution of the Government or any part therof or Laws ſtanding for the time or to do any thing prejudiciall or contrary therto Likeas His Majeſtie with advice and conſent forſaid Does hereby Reſcind Caſs and make void all Laws Statutes Cuſtomes and Conſtitutions in ſo far as the same are contrare to or inconſiſtent with this preſent Act and no farder Declareing allwayes that nothing contained in this Act shall extend or be underſtood to extend to, alter or any wayes reſtrict the Prerogative of the King his heirs or Succeſsors or his and their power to call adjourn or diſsolve Parliaments

ACT anent Regiſtration of Seaſins and other writts & diligences

OUR SOVERAIGN LORD conſidering that unleſs Seaſins and other writts and diligences appointed to be Regiſtrat be booked and inſert in the reſpective Regiſters appointed for that effect the Leidges cannot be certiorat therof which is the great uſe and deſigne of their Regiſtration Doth therfor with advice and conſent of the Eſtates of Parliament Statute and Declare that no ſeaſine or other writt or diligence appointed to be Regiſtrat ſhall be of any force or effect againſt any but the granters and their heirs unleſs it be duely booked and inſert in the Regiſter and that notwithſtanding of any thing contrary hereto contained in the nineteenth Act Second Seſsion firſt Parliament King James the Seventh which is hereby in ſo far reſcinded caſsed and annulled and declared to have no effect in time comeing But prejudice allwayes to ſuch as have Regiſtrat their Seaſins and other writts and diligences conform to the said Act befor the makeing hereof. And His Majeſtie with advice forſaid Ratifies and approves of the haill other heads and articles of the ſaid Act and declares that Parties Leſed by the omiſsion or negligence of Clerks to book and inſert in the Regiſter ſuch writts as are preſented to them and which they atteſt on the back to be Regiſtrat ſhall have action of damnadge againſt the heirs and repreſentatives of the saids Clerks though no ſuch actions be commenced in the Clerks lifetime 18

ACT for Regiſtrating of Summonds that ſhall be made uſe of for Interruptions

OUR SOVERAIGN LORD conſidering that for the Security of Purchaſers and other ſingular Succeſsors It is neceſsar that all Summonds and Executions therupon which ſhall be made uſe of for Interruptions of Preſcription of reall rights and all Inſtruments of interruption shall be Regiſtrat that the Leidges may know of the samen Therfore His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes and Ordains That in time comeing all ſummonds made uſe of for Interruptions of Preſcription of reall rights ſhall paſs 19

upon a bill under the ſignet and contain all the grounds and warrands upon which it proceeds and that the Summonds and Executions therof and all inſtruments of interruption be Regiſtrat in a particular regiſter to be appointed by the Lord Regiſter to be keept at Edinburgh within Sixty dayes after the date of the Execution and inſtrument of Interruption And that this Regiſtration be made in the ſame manner and with the ſame formalities in all points as are ordained by former Acts in the caſe of Regiſtration of Seaſins and Inhibitions and that this Regiſter of Interruptions be keept in books apart Declareing that if the saids Interruptions ſhall not be duely regiſtrat as above the ſame ſhall be of no force nor effect for interrupting the Preſcription of reall rights as to Purchaſers and ſingular Succeſsors But prejudice to have the effect of ane interruption as to the perſons againſt whom the ſame is execute and Inſtrument taken; And allows the keeper of the said Regiſter to take payment for regiſtrating ſuch Summonds Executions and Inſtruments the half of the dues due for regiſtrating of Hornings and Inhibitions And declares all interruptions that ſhall be made via facti for interrupting the preſcription of real rights shall have nō effect as to purchaſers and ſingular Succeſsors unleſs ane Inſtrument be taken therupon and regiſtrat in manner forſaid But the said interruptions via facti ſhall only be effectuall as to the Heritor and Poſſeſsor of the ground but no others And His Majeſtie with advice forsaid Ordaines all Summonds with their Executions or Inſtruments already raiſed or taken for interruption as said is to be regiſtrat as above preſcribed within a year after the date of this Act under the ſame Certification as is above expreſt

ACT anent vitious Intromettors

20 OUR SOVERAIGN LORD conſidering that many times the neareſt of kin and others doth Intromet with the moveables of perſons deceiſt without Confirmation and imbazles the saids moveables in defraud of lawfull Creditors; and when they come to be purſued at the inſtance of any of the Creditors for being lyable to the defuncts debt as vitious intromettors they ordinarly defend themſelves with this pretence that there is ane Executor Creditor confirmed befor the intenting of the action Wheras a third party Confirming Executor Creditor in a particular subject ought not to free the intromettor from the paſsive title of vitious intromiſsions when the intromettor has no right from the Executor Creditor Therfor for obviating ſuch frauds in time comeing His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes Ordaines and Declares that the neareſt of kin and others intromettors with the moveables of any defunct who are not Executors Confirmed to them nor hath right from the Executor Creditor befor his intromiſsion are and ſhall be lyable as vitious intromettors notwithſtanding that there is a third party Confirmed Executor in a particular debt or subject

ACT anent Aliments

OUR SOVERAIGN LORD conſidering that 21
Actions for aliment of their own nature cannot abide delay but ought to be diſcuſt summarly Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament doth hereby appoint the Lords of Seſsion to diſcuſs all actions of aliment to be intented before them ſummarly without abideing the courſe of the Roll And likewayes hereby prohibite and diſcharge the saids Lords to grant any aliment to any perſon upon petition or bill notwithſtanding there be a depending proces betwixt the parties concerned unleſs there be a Lybelled Summonds raiſed and execute for that effect which Lybell after it is ſeen and returned is to be diſcuſsed ſummarly as ſaid is.

ACT for Expenſes in Suſpenſions

OUR SOVERAIGN LORD for staying and 22
preventing the abuſe of calumnious and malitious Suſpenſions specially of decreits for clear and liquid debts and for fines decerned by inferior Magiſtrats againſt perſones found guilty of prophanity and immorality according to the Laws made againſt the ſame Doth therefore with advice and conſent of the Eſtates of Parliament Statute and Ordain that when any ſuſpenſion ſhall be raiſed for hereafter The Lords at the diſcuſsing therof and finding the Letters orderly proceeded shall alſo declare whither the Suſpenſion was calumnioufly raiſed or not and if they ſhall find it to have been calumnioufly raiſed then they ſhall likewayes Decern for the whole charges expences and damnages to be given up in a particular accompt and deponed upon by the Charger to have been lawfully expended and ſuſtained by him in proſecuting and diſcuſsing therof without any eaſe or defalcation And farder that if the charger ſhall be found calumnious or malitious that the Suſpenders alſo have the ſame Juſtice.

ACT anent the Levy of a Thouſand men

THE Estates of Parliament Conſidering how juſt 23
and neceſsary it is that dureing the continuance of this war Recruits be provided And that by the Meeting of this Seſsion of Parliament the Act paſt in the laſt Seſsion thereof for Levies and Recruits is terminat And that it is moſt reaſonable that the rules and methods therof for hereafter

ſhould be laid down in ſuch a manner as may be moſt eaſie to his Majeſties good ſubjects and moſt effectuall for his ſervice Therefore His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes and Ordains that untill the nixt Seſſion of Parliament and for the Service of this preſent war and recruiting of the Regiments either at home or abroad there ſhall be furniſhed to his Majeſtie the number of ane thouſand men yearly when his Majeſtie ſhall require the ſame to be proportioned and levied conform to the proportions contained in the Act of Parliament I^m^ vj^c^ and ſixty three years Entituled Ane humble tender to his Sacred Majeſtie of the dutie and loyalty of his ancient Kingdom of Scotland as to the twenty thouſand foot therin mentioned which thouſand men ſhall be furniſhed and levied in this manner viz. That the Commiſsioners of Supply for the reſpective bounds where the ſaid proportions ſhall fall or any five of them as the quorum hereby appointed for this effect or the Sheriffs and their deputs or the Lords and Baillies of Regalities or Stewarts and their deputs The Magiſtrats of Burghs firſt deſigne and cauſe be given the idle, looſe, and vagabond perſons lyable by former Acts of Parliament to be ſeiſed by Sheriffs to make up the forſaid number and the remainder of the ſaid proportions to be put furth according to the former rules in uſe for ſubdividing of the ſaid proportions within each ſhire And Heritors ſhall have power and are hereby impowered to deſigne and make choiſe of ſuch young fencible men liveing within their reſpective bounds and not haveing wife or children and who earn their liveing by dayly wages or termly hire as ſhall ſatiſfie for their part of the ſaid Levy Or otherwayes the tennents and fencible men ſhall have their option to offer & pay down for each of the ſaid men that may fall to be put out by them as ſaid is the Sum of twenty four pounds Scots So that the diſtrict ſhall either deliver a good man effectually or pay the ſaid twenty four pounds And farder the ſaids Heritors are hereby farder impowered to ſecure the perſon or perſons deſigned or choſen as ſaid is as they ſhall ſee cauſe And for the encouragement of the foreſaids perſons who ſhall be deſigned and made choiſe of to be put furth in the ſaids Levies It is hereby farder Statute and Ordained that each of them ſhall befor delivery have twenty pounds Scots payed him in ready money by the officer who receives him at the ſight of one of the ſaids Commiſsioners As alſo that their being put furth and engadged as ſaid is ſhall not oblidge them longer to be and continue ſouldiers then for the ſpace of three years and the firſt of November nixt after the iſh of the ſaids three years from the time of their ſd engadgement and the further execution of this Act for raiſeing of the forſaid Levies and Recruits when required by his Majeſtie is referred and recommended to the Lords of His Majeſties Privy Councill who are hereby fully impowered for that effect And His Majeſtie with advice forſaid in conſideration of the aforſaid Condeſcendence for furniſhing of Levies and Recruits Doth of new Statute and Ordain that no officer either at home or from abroad offer to take up or preſs any free Leidge to be a ſouldier unleſs the man be taken on by agreement owned by him in preſence of the Judge of the Bounds, And if any officer ſhall contraveen this order and preſs and compell any man contrare to the rule hereby eſtabliſhed that it be reckoned oppreſsion and the tranſgreſsor puniſhed by the fine of a moneths pay and farder by impriſonment or breaking and Caſhiering as the ſaids Lords of Councill ſhall think fit And it is hereby farder Statute and Ordained that all officers exacting lodging coall and candle gratis for themſelves their wives or children ſhall loſe and tyne their Commiſsion And that all ſouldiers exacting coall and candle gratis for their wives and children ſhall be lyable for the Parties damnage to be payed by their Commanding officers at the ſight and appointment of any Magiſtrat within Burgh or other Judges to Landward, Certifieing the officer failzieing herein that he ſhall be lyable in three moneths pay and farder puniſhed as the Lords of Counſell ſhall appoint Which fines are alſo to be applyed for reparation of the parties in the firſt place and the ſuperplus as the Council ſhall think fit.

ACT for the better payment of the Creditors on forfault Eſtates

OUR SOVERAIGN LORD and Eſtates of Parliament conſidering that by reaſon of the Act of Parliament one Thouſand ſix Hundred and ninety Declaring Sentences and doomes of forfalture not to be prejudiciall to vaſalls and lawfull Creditors in manner therin expreſt it doth and may happen that Creditors may not only overcharge with Expences the ſaid forfault eſtate by adjudication and other diligences but alſo poſſeſs the samine for much longer time then is needfull both to their own and his Majeſties disadvantage Becauſe the ſaids Eſtates forfault cannot (as other Lands and Eſtates) be brought to a roup and ſale for their ſatiſfaction. Therfore His Majeſtie with advice and conſent of the ſaids Eſtates of Parliament Statutes and Declares that for all Eſtates forfault ſince the year one Thouſand ſix Hundred and Eighty eight or that ſhall be forfault for hereafter it ſhall be leiſum for his Majeſtie or his Donator to call the Creditors of the perſons forfaulted befor the Lords of Seſsion to the effect the ſaids Lords may appoint and ſet off to them ſuch parts and portions as ſhall be found anſwerable for ſatiſfaction of their debts Which parcells of Lands the ſaids Lords of Seſsion are hereby impowered to adjudge to the ſaids Creditors and the ſaids Creditors ordained to accept of 24

in full ſatiſfaction of their reſpective debts To the effect that his Majeſtie and his donator may have and enjoy any ſuperplus that ſhall remain of the ſaids Lands and Eſtates forfault free and diſburdened in all time comeing But prejudice allwayes to the saids Creditors to poſſeſs conform to their saids rights and diligences ay and while the said allocation be made as alſo to affect the moveables of their saids debitors when forfaulted as formerly

ACT anent Blank Bonds and Truſts

25 OUR SOVERAIGN LORD conſidering that the Subſcriveing of Bonds Aſsignations and Diſpoſitions and other deeds blank in the name of the perſon in whoſe favors they are granted as alſo that the intruſting of perſons without any declaration or backbond of Truſt in writing from the perſons intruſted are occaſions of fraud as alſo of many pleas and contentions Doth therfore with advice and conſent of the Eſtates of Parliament Statute and Ordain that for hereafter no bonds aſsignations diſpoſitions or other deeds be ſubſcrived blank in the perſon or perſons name in whoſe favors they are conceived and that the forsaid perſon or perſones be either inſert before or at the Subſcriveing or at leaſt in preſence of the ſame witneſses who were witneſses to the Subſcribing befor the delivery Certifieing that all writs otherwayes Subſcribed and delivered blank as said is ſhall be declared null, And farder that no action of declarator of truſt ſhall be ſuſtained as to any deed of truſt made for hereafter except upon a declaration or backbond of truſt lawfully Subſcribed by the perſon alleadged to be the truſtee and againſt whom or his heirs or aſsigneyes the Declarator ſhall be intented or unleſs the same be referred to the oath of party ſimpliciter Declaring that this Act ſhall not extend to the indorſation of Bills of Exchange or the notes of any tradeing Company.

ACT for Settling of Schools

26 OUR SOVERAIGN LORD conſidering how prejudiciall the want of Schools in many places have been and how beneficiall the eſtabliſhing and ſetleing therof in every paroch will be to this Church and Kingdom Therfor His Majeſtie with the advice and conſent of the Eſtates of Parliament Statutes and Ordains that there be a School ſettled and Eſtabliſhed & a Schoolmaſter appointed in every paroch not already provided by advice of the Heritors and Miniſter of the paroch And for that effect that the Heritors in every paroch meet and provide a commodious houſe for a ſchool and ſettle and modifie a ſallary to a Schoolmaſter which ſhall not be under one Hundred merks nor above two Hundred merks to be payed yearly at two terms Whitſunday and Martinmaſs by equall portions, and that they ſtent and lay on the said ſallary conform to every Heritors valued rent within the paroch allowing each Heritor relieff from his tennents of the half of his proportion for ſettling and maintaining of a School and payment of the Schoolmaſters ſallary which ſallary is declared to be by and attour the caſualities which formerly belonged to the Readers and Clerks of the kirk ſeſsion: And if the Heritors or major part of them ſhall not conveen or being conveened ſhall not agree among themſelves, then and in that caſe the Preſbitrie ſhall apply to the Commiſsioners of the Supply of the ſhire who or any five of them ſhall have power to eſtabliſh a ſchool and ſettle and modifie a ſallary for a Schoolmaſter not being under one hundred merks nor above two hundred merks yearly as ſaid is and to ſtent and lay on the ſamen upon the Heritors conform to their valued rent which ſhall be alſe valid and effectuall as if it had been done by the Heritors themſelves And becauſe the proportion impoſed upon every heritor will be but ſmall, Therfor for the better and more ready payment therof It is Statute and Ordained that if two terms proportions run in the third unpayed then theſe that ſo fail in payment ſhall be lyable in the double of their proportions then reſting and in the double of every terms proportion that ſhall be reſting therafter ay and while the Schoolmaſter be compleatly payed and that without any defalcation And that Letters of Horning and all other Executorialls neceſsar be directed at the inſtance of the Schoolmaſter for payment of the said ſtipend and double of the proportions in manner forſaid And diſcharges all Suſpenſions to paſs againſt Schoolmaſters of the sallaries except upon conſignation or a valid diſcharge And if any ſuſpenſion be paſt that the Lords diſcuſs the ſamen ſummarly without abideing the courſe of the roll And it is hereby Declared that Liferenters dureing their lifetime ſhall be lyable in payment of the proportions impoſed on the Lands liferented and Execution in manner forſaid ſhall paſs againſt them for that effect and the Heritors ſhall be alwayes free of the same dureing the Liferenters lifetime and if any perſon find themſelves wronged by the inequality of the proportions impoſed it ſhall be lawfull for them to ſeek redreſs therof befor the Commiſsioners of Supply Sheriff of the ſhyre or other Judge competent within the ſpace of year and day after the impoſeing of the ſtent and no otherwayes As alſo it is declared that the provideing of the said Schools and Schoolmaſters is a pious uſe within the paroch to which it ſhall be lawfull and leiſum to Patrons to imploy the vacant ſtipends as they ſhall ſee cauſe excepting from this Act the Bounds of the Synod of Argyle in reſpect that by a former Act of Parliament in the year one thouſand ſix Hundred and ninety the vacant ſtipends within the said bounds are deſtined

for the setting up and maintaining of Schools in manner therin mentioned And the said vacant ſtipends are hereby expreſsly appointed to be thereto applyed at the ſight of the Sheriff of the bounds forſaid And laſtly his Majeſtie with advice and conſent forſaid Ratifies and Approves all former Lawes Cuſtoms and Conſtitutions made for eſtabliſhing and maintaining of Schools within the Kingdom in ſo far as the ſame are not altered nor innovat by this preſent Act.

ACT approving the Proclamation of Councill for encourageing the Import of Victuall

27 THE Eſtates of Parliament conſidering that the Lords of his Majeſties Privy Councill did of late very ſeaſonably allow by Proclamation the free import of victuall for relief of the country and for encouragement of the ſaid import promiſe twenty ſhilling per boll for all victuall that ſhould be imported betwixt and the firſt of this inſtant Therfor His Majeſtie with advice and conſent of the saids Eſtates approves the forsaid Act of Councill as good ſervice to the Kingdome and declares that what His Majeſties Theſaury ſhall pay out of the fonds already given in this Seſsion of Parliament in purſuance of the said Proclamation ought to be refounded; But in regaird it is not yet certain how much victual hath been imported and what may be due on that account the Eſtates of Parliament do hereby Declare they will provide for the repayment of what ſhall be inſtructed to be due and payed on account forſaid in the next Seſsion of Parliament

ACT anent Proteſtant Servants in Popiſh Families

28 OUR SOVERAIGN LORD conſidering that severall Servants Proteſtants going to ſerve in families and houſes of Papiſts have there been perverted from the truth of the Proteſtant Religion to the errors and ſuperſtitions of popery and how neceſsar it is that this abuſe be reſtrained in time comeing Do therfore and for remeid thereof with advice and conſent of the Eſtates of Parliament Statute and Ordain that whoever ſhall by writing ſpeaking or otherwayes debauch and pervert any of His Majeſties Proteſtant ſubjects to the Errors and Superſtitions of Popery ſhall be held, proceeded againſt and puniſhed as a trafficking Papiſt And farder that if any ſervant being Proteſtant ſhall go to a Popiſh familie and there be perverted and become Papiſt the said Servant ſhall be proceeded againſt and puniſhed as an apoſtat from the true Proteſtant Religion conform to the Lawes made theranent, And the maſter of the said Popiſh familie shall be obliged ſo ſoone as required either by the Magiſtrat or Miniſter of the bounds to put the said ſervant immediatly out of his houſe familie and ſervice and never to receive him again under the pain of one hundred pound Scots to be payed the one half to the informer and the other to the poor of the pariſh in caſe of tranſgreſsion and the forſaid Servant apoſtatizeing as said is is hereby declared incapable to serve or be received hereafter in any Popiſh familie, And the Maſter of any Popiſh familie that ſhall happen to receive him ſhall immediatly when required expel him out of his houſe and familie under the pain forſaid And farder it is hereby Statute that all Popiſh Maſters haveing Proteſtant Servants shall allow them freely to go and attend the Worſhip and ſervice of God on the Lords day and other dyets of worſhip and Catechiſeing without any reſtraint under the pain forſaid as oft as they ſhall happen to contraveen And laſtly that all Proteſtant ſervants ſerveing in Popiſh families ſhall attend the forſaid dayes and dyets of worſhip and Catechiſeing under the pain of being baniſhed furth of the Pariſh. in caſe of tranſgreſsion.

ACT for the better provideing the Poor and repreſsing of Beggars

29 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament Ratifies Approves Renews and Revives all Acts of Parliament and Proclamations of Council for maintaining of the Poor and repreſsing of Beggars And ordains them to be put to full and vigorous Execution in all points; And farder empowers and authorizes the Lords of his Majeſties Privy Councill (if they ſhall think needfull) to grant ane Commiſsion to a certain number of perſons to be ſuperviſors & inſpectors of the poor either in particular Shires and Burghs or over the Kingdom and to make and emit ſuch Acts and Conſtitutiones not inconſiſtent with the Standing Lawes as ſhall be thought neceſsar for the more effectuall imploying and maintaining of the Poor and freeing the countrey of vagabonds and idle beggars which Acts and Conſtitutions of the Lords of Privy Council ſhall have the effect and force of Laws and ſhall only continue untill the nixt Seſsion of Parliament And the Eſtates of Parliament do humbly recommend to His Majeſtie to cauſe viſit all Hoſpitalls and their rents and revenues with their rights and foundations to the effect that whatever lands tenements teynds or others belonging to Hoſpitalls and any way miſimployed impropriat or interverted may be reſtored and the saids haill lands tenements teynds rents and revenues duely applyed according to their foundations As alſo to inquire after all Mortifications to the effect they may be duely applyed conform to the will of the Mortifier.

ACT Ratifieing the Proclamation of Council anent the Pole 1695.

30 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament Ratifies and Approves ane Proclamation of Council for paying in the Pole money dated the thirteenth day of Auguſt one thouſand ſix hundred and ninety ſix years in the haill heads tenors and contents therof And ordains the samine to take effect and to be put to full Execution in all points And prorogats the term for produceing of the Diſcharges to the firſt of January one Thouſand ſix Hundred and ninety eight Of which Proclamation the tenor followes WILLIAM by the grace of God King of Great Britain France and Ireland Defender of the Faith to Macers of our Privy Council Meſsengers at Arms our Sheriffs in that part conjunctly and severally ſpecially Conſtitute Greeting Forasmuch as the Pole money granted to us by the Act of Parliament one thouſand ſix hundred & ninety five doth ſtill for the greater part remain unpayed notwithſtanding of all the diligence that hitherto hath been uſed for uplifting and inbringing of the ſame And it being unjuſt and unreaſonable that theſe equally bound and who have not payed ſhould not pay as others have done And becauſe the term of Martinmaſs nixt is appointed by the said Act of Parliament to be the laſt term for production of diſcharges Therfor we with advice and conſent of the Lords of our Privy Council in profecution of the said Act of Parliament for the better ingathering of what remains of the said Pole money and to take of all pretence of Exemption from ſuch as have hitherto failzied to make due payment after the said term of Martinmas nixt ſhall be come and bypaſt Do hereby Command and Charge all that have not already made payment of pe Pole money due by them reſpective to make payment therof to the Collectors of their reſpective paroches or ſhyres or others to be appointed for that effect betwixt and pe fifteenth day of October nixt to come Likeas for their better encouragement We have thought fit to Diſcharge and do hereby Diſcharge all ſuch as ſhall make payment of the Pole betwixt and the forſaid day of the doubles and quadruples already by them incurred and ſtill reſting unpayed Certifieing them withall that if after ſo much forbearance on our part and contumacy on their part they ſhall of new failzie to make payment betwixt and the forſd day they ſhall incurr the forsaids doubles and quadruples in manner ſet down in the Act of Parliament ſicklike as if the forsaid day had been the preciſe day of payment fixed by the said Act; Which doubles and quadruples ſhall in caiſe of failzie forſaid be exacted with all rigour; And in regaird the forſaid clauſe in the Act of Parliament declaring none to be holden to produce their Diſcharges or receipts of the said Pole after the said term of Martinmaſs was manifeſtly provided in favors and for relief of ſuch as ſhould make due payment but no wayes to exempt any who contemning the diligence uſed againſt them ſhould failzie in payment as said is Therfor it is farder hereby Declared that whoſoever lyable to pay their Pole ſhall not make due payment thereof betwixt and the forsaid day hereby appointed ſhall be reckoned as a contemner of diligence and ſtill under the courſe therof and lyable to the same notwithſtanding of any pretence that may be made upon the forſaid clauſe of the Act of Parliament wherin ſuch failzies are no wayes concerned But prejudice allwayes to all who have already made due payment and who ſhall inſtruct the same either by receipts or the Collectors books or oaths of the benefite of the forſaid clauſe and their perpetuall Libération Our will is herefore and We charge you ſtrictly and command that incontinent theſe our Letters seen ye paſs to the mercat croſs of Edinburgh and to the mercat croſses of the remanent head Burghs of the severall Shires and Stewartries within this Kingdom and there in our name and authority make Publication hereof that none may pretend ignorance. And We ordain our Solicitor to diſpatch copies hereof to the Sheriffs of the severall Skires and Stewarts of Stewartries and their deputs or clerks to be by them publiſhed at the mercat croſses of the head Burghs upon receipt therof and immediatly tranſmitted by them to the severall paroch Churches within the reſpective Shyres and Stewartries forsaids to be publiſhed at the saids Churches And ordains theſe preſents to be printed and publiſhed Given under our Signet at Edinburgh the thirteenth day of Auguſt and of our Reigne the Eight year 1696 Per actum Dominorum Secreti Concilii Sic ſubſcribitur Da: Moncrieff Cls. Sti. Concilii.

ACT againſt Prophaneneſs.

OUR SOVERAIGN LORD with advice and 31
conſent of the Eſtates of Parliament, Ratifies Renews and Revives all former Laws and Acts of Parliament made againſt drunkenneſs Sabbath breaking ſwearing fornication uncleanneſs mocking and reproaching Religion and the exerciſes therof and generally all the Laws made againſt Prophaneneſs and Ordains the same to be put to full and vigorous execution And farder conſidering how much Prophanity and Immorality do abound over all the Nation to the diſhonour of God, reproach of Religion and the diſcredit and weakening of the Government notwithſtanding of the many good Laws that have been made againſt prophaneneſs Therfore and for the better and more expedit and effectuall execution of the saids Laws Statutes and

Ordains that in every Paroch where either Sheriff Sheriff deput Lord of Regality or Regality deput or Baillies or Baillie deputs Stewarts or Stewart deputs or Magiſtrats of Burghs happen to reſide They ſhall and are hereby oblidged and required to put the saids Laws againſt Prophanity and Immorality to due and full execution at the inſtance of any perſon whatſoever who ſhall purſue the ſame Certifieing them if they failzie therin either by themſelves or their deputs to be by them nominat for the said Paroch the Lords of His Majeſties Privy Councill will appoint and nominat Baillies in that part to judge and execute the Laws in their place And as to such Paroches wherein none of the Magiſtrats forſaids haveing ordinary juriſdiction do reſide His Majeſtie with advice and conſent forſaid Statutes and Ordains that in every ſuch paroch the forſaids perſons haveing ordinary juriſdiction over the ſame ſhall appoint deputs for the said paroches with the power and for the end forsaid ſuch as ſhall be named to them by the Heritors and Kirk Seſsion therof for that effect Certifieing the forſaid Magiſtrats that if they refuſe to grant the said deputations when required they ſhall not only be lyable in the Sum of one hundred pounds but that the Lords of Councill will grant the saids deputations by them refuſed And His Majeſtie with conſent forſaid diſcharges Advocations of the saids proceſses againſt Prophanity and Immorality to be intented before the saids Judges and Deputs in the saids Paroches ſimpliciter And likewayes all Suſpenſions of their Sentences without Conſignation or liquidat Diſcharges And farder Ordains that in caſe of calumnious ſuſpending the Lords of Seſsion Decern a third part more then is Decerned for Expences And Ordains the fines to be inſtantly payed to the Paroch Collectors for the poor or the party to be impriſoned till ſufficient Caution be found for payment of the saids fines or otherwayes to be examplarly puniſhed in his perſon in caſe of inhabilitie to pay the fine And that no pretence of different perſwaſion in matters of Religion ſhall exeem the delinquent from being cenſured and puniſhed for ſuch Immoralities as by the Laws of this Kingdome are declared to be puniſhable by fineing And laſtly it is declared that nothing in this Act ſhall hinder or impede all ordinary Magiſtrats and Judges to exerce their Juriſdiction in the premiſses as accords And His Majeſtie and the said Eſtates of Parliament Recommend to the Lords of Privy Councill to take ſuch farder effectuall courſe as ſhall be found requiſite for reſtraining and puniſhing of all ſorts of profanity and wickedneſs and for encourageing and rewarding of ſuch as ſhall be imployed in the execution of the saids Laws either out of the fines that ſhall be uplifted for the forſaid tranſgreſsions or otherwayes as they ſhall think fit And does hereby ſtrictly Require and Command all perſons to whom it doth or may belong to perform their duties in the premiſses punctually as they will be anſwerable

ACT anent the Aliment of poor Priſoners

OUR SOVERAIGN LORD considering that 32
generally the Burghs of this Kingdom havers of Priſones are troubled and overcharged with priſoners thruſt into their priſones who have nothing to maintain themſelves but muſt of neceſsity either ſtarve or be a burden upon the Burgh Doth therfor and for Remeid therof with advice and conſent of the Eſtates of Parliament Statute and Ordain that where any perſon is made or ſhall be made Priſoner for a Civill debt or cauſe and ſhall be found or become ſo poor that he cannot aliment himſelf Then and in that caſe it ſhall be leiſum to the Magiſtrats of the Burgh where the priſone is, to which the said priſoner is committed upon the complaint of the said Priſoner and his makeing faith in their preſence that he hath not wherewith to aliment himſelfe to intimat the ſame to the Creditors one or more at whoſe inſtance the said Priſoner was committed or is detained and to require him or them either to provide and give Security for an aliment to him not under three ſhilling per diem or elſe to conſent to his Liberation which if the ſaid Creditors refuſe or delay to do within the ſpace of ten dayes therafter then it ſhall be leiſum to the said Magiſtrats to ſet the said poor indigent Priſoner at liberty without any hazard of being lyable for the debt and cauſe of the impriſonment or to any other cenſure whatſomever Provideing allwayes that if any other Creditor at whoſe inſtance he is made or detained Priſoner give ſurety to aliment the said indigent debitor he ſhall ſtill be keeped Priſoner as before, as alſo that Priſoners for Criminall cauſes be in the ſame ſtate as formerly

ACT for Erecting a New Sugar Manufactory at Glaſgow

OUR SOVERAIGN LORD conſidering how 33
much it tends to the advancement of Trade and good of the whole Kingdom that manufactories be erected according to the former Acts of Parliament made thereanent And that the Manufactory of Sugar commonly called the Suggarie is found to be a moſt profitable Manufacture And that the companies therin conterned ought to be increaſed Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament Creats Erects and Incorporats Hugh and James Montgomeries Merchants in Glaſgow and ſuch others as they ſhall aſsume being reſidents within the Kingdom in a lawfull and free Company for a Sugar Manufactory And that beſides the Companies & manufactories already erected for that end Giveing and Granting to the forsaids Perſons erected in the said Company

and their Succeſsors therin being reſidents within the Kingdom the haill powers priviledges liberties and immunities granted to manufactories by the Laws of the Kingdom, and particularly by the Acts of Parliament one thouſand ſix hundred and ſixty one and I^co vj^co and eighty one years for Erecting of Manufactories with the haill other powers liberties and immunities granted either by Acts of Parliament or Acts of Privy Councill or Exchequer to any other Sugar Manufactory within this Kingdom And His Majeſtie with conſent forſaid Statutes and ordaines the generality forſaid to be alſe good valid and effectuall as if every particular therin comprehended were here expreſsly ſet down Declaring that the forſaid liberties and immunities hereby granted for the encouragement of the said Manufactory ſhall indure and continue for the ſpace of nineteen years after the date hereof And in regaird the forſaid perſons hereby incorporat in a Company for a Sugar Manufactory are to ſet up at Glaſgow, Therfor it is hereby appointed that this Company ſhall be called and diſtinguiſhed by the name of The New Sugar Manufactory at Glaſgow.

[Making of Salt] DRAUGHT of an act in favors of Sir John Shaw of Greenock the Laird of Glenegies and others for makeing of Salt after a new faſhion, read, and after ſome debate it was put to the vote Proceed or delay, and carried Proceed.

REPRESENTATION by the Saltmaſters againſt the said Act read and after ſome debate it being put to the vote approve the Act or not, it carried approve.

[Salt upon Salt] ACT in favors of the Saltmaſters for makeing Salt upon Salt read the firſt time and ordered to ly on the table.

DRAUGHT of an Act in favors of Mr William Erſkine for makeing ſalt upon ſalt read the firſt time and ordered to ly on the table.

[Registrating of Bonds] DRAUGHT of an Act for Regiſtrating of Bonds Diſpoſitions &c. after the granters death read the firſt time and ordered to ly on the table.

[Forraign Bills] DRAUGHT of an Act ordaining the ſame Executions to paſs upon Inland Bills or Precepts as is competent upon Forraigne Bills of Exchange read the firſt time and ordered to ly on the table.

[Adultery] DRAUGHT of an Act againſt adultrey read the firſt time and ordered to ly on the table

[Divorce] DRAUGHT of an Act anent divorce for non adherence read the firſt time and ordered to ly on the table.

[Manufactory of Newmilnes] DRAUGHT of an Act for encourageing the woolen manufactory of Newmilnes read the firſt time & ordered to ly on the table.

Act in favors of Sir Robert Murray of Abercairnie & other Heritors upon the Pow of Inchaffray

AT EDINBURGH the ninth day of October one thouſand six hundred and ninety ſix years Anent the Petition given in and preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Sir Robert Murray of Abercairnie Sir Patrick Murray of Auchtertyre Mungo Graham of Gorthie and James Oliphant of Williamſtoun Heritors upon the Pow of Inchaffray, Humbly Shewing that the said Pow of Inchaffray being a long tract of levell ground ſubject to unſeaſonable inundations and overflowings of the water wherby the adjacent ground and meadows become mariſh and the graſs and corns of severall Heritors of the ſaids Lands are frequently loſt and rendered uſeleſs The draining and ditching wherof in a convenient and effectuall manner might not only prevent the saids Loſses and damnages ſuſtained by the Heritors but likewayes be a mean of conſiderable improvement of ſo large a tract of ground to the great advantage and utility of all concerned And the Petitioners Predeceſsors with other Heritors upon the said Pow having endeavoured by Submiſsions Decreits arbitrall and otherwayes to adjuſt the differences that might ariſe in carrieing on and conſumating ſo good a work their deſignes therin have been hitherto fruſtrat partly by minority of ſome of ye Heritors concerned and partly by the diſsenting of others that conceived they might have no advantage by the said work and ſo through want of unanimous Concurrence of all concerned so good and neceſsary a work tending to the common utility of moſt of the Heritors has been retarded. And therfor Craveing His Grace and Eſtates of Parliament to Grant Warrant and Commiſsion to John Hadden of Glenegleis James Graham of Orchill John Drummond of Pitkellanie David Drummond of Invermay Duncan Campbell of Monzie David Smith brother german to the Laird of Meſſen Mr William Murray of Arbennie Thomas Hay of Balhouſsie Coline Campbell of Lochland John Drummond of Colquhillie and Mr Mungo Murray brother german to Patrick Murray of Dollary and ſuch others as His Grace and their Lordſhips ſhould pleaſe to add or any five of them hereby declared to be a quorum to meet and conveen at the day of nixt to come and therafter at ſuch days and places as they ſhall appoint with full power to them after due intimation to all the adjacent Heritors and the

Tutors and Curators of ſuch of them as are Minors to cauſe drain and ditch the ſaid Pow As alſo to divide and appropriat the samine with any parcells of the adjacent Lands as ſhall be neceſsary to ſquare marches among ye saids adjacent Heritors and to repair any Loſs that any of them ſhall ſuſtain by the draining ditching and divideing forſaid by taxing the ſame upon such as ſhall have the benefite As alſo to appoint workmen for the work forſaid and tax and levie their Expenſes upon the ſaids adjacent Heritors haveing the benefite and to take effectuall courſe for maintaining ye said ditch and draining And generally to do all things elſe that may perfite the ſaid work and if need beis to cite witneſses take depoſitions and give out their Sentences as accords which Sentences in the haill premiſses as to the Heritors adjacent ſhall have the force and ſtrength of a decreet arbitrall as upon their Submiſsion as the said Petition bears. Which being this day read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament they have Granted and hereby Grants the deſire therof And have Granted and hereby Grants Warrand and Commiſsion to the perſons above mentioned or any five of them to meet and conveen at Crieff upon the firſt second third fourth or fifth dayes of December nixt to come and therafter at ſuch places and on ſuch dayes as they ſhall appoint with full power to them after due intimation to all the adjacent Heritors and the Tutors and Curators of ſuch of them as are Minors to cauſe drain and ditch the said Pow as alſo to divide and appropriat the ſame with any parcells of the adjacent Lands as ſhall be neceſsary to ſquare marches amongſt the saids adjacent Heritors and to repair any Loſs that any of them ſhall ſuſtain by the draining ditching and divideing forſaid by taxing the ſame upon ſuch as ſhall have the benefite as alſo to appoint workmen for the work forſaid and to tax and levy their expenſes upon the saids adjacent Heritors haveing ye benefite and to take effectuall courſe for maintaining the said diteh and draining and generally to do all things elſe that may perfect the said work and if need beis to cite witneſses take depoſitions and give out their Sentences as accords which in the whole Premiſses as to the Heritors adjacent ſhall have the force and ſtrength of ane Decreet Arbitrall as upon their Submiſsion

Recommendation to the King in favors of Mr Archbald Sinclair Judge of the High Court of Admirality

AT EDINBURGH the ninth day of October one thouſand ſix hundred and ninety ſix years. Anent the Petition given in and preſented unto His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Mr Archbald Sinclair Judge of the High Court of Admirality humbly Shewing That where the High Court of Admirality is by Act of Parliament Declared ane Soveraigne Court And it being suteable to the dignity therof that the Judge have ane competent Sallary as all other Judges of Soveraign Courts have that he may be thereby encouraged to ſerve and diſpatch the Leidges, And there being ane certain Impoſition laid on the tunnadge of ſhips the laſt Seſsion of Parliament which ſeems to be the moſt proper fund for a Sallary to the Judge of the said Admirality And therfor Craveing his Grace and the Honourable Eſtates of Parliament to Recommend the Petitioner to His Majeſtie to have a competent Sallary ſettled yearly out of the said fond dureing the continuance of the Impoſition as His Majeſtie in His Royall Wiſdome ſhould think fit as the ſaid Petition bears Which being upon the firſt day of October inſtant conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written thereon Remitted the matter therin repreſented to the Committie for Security of the Kingdom and to report. Conforme to which deliverance the Committee for Security of the Kingdom haveing conſidered the said Petition Remitted to them by the Parliament togither with a Repreſentation made by Captain Slezer to them theranent They upon the third day of October inſtant gave their Interloq^r That they were of opinion that the Petitioner the Judge of the Admirality be Recommended by the Parliament to His Majeſtie for a competent yearly Sallary and that out of the firſt and readieſt of the Impoſition laid upon the tunnage of Ships the laſt Seſsion of Parliament dureing the continuation therof as the said Report bears And this day His Majeſties High Commiſsioner and the Eſtates of Parliament haveing heard and conſidered the above Report of the Committee They have Recommended and hereby Recommends the Petitioner the Judge of Admirality to his Majeſtie for a competent yearly Sallary to be payed to him out of the fond and dureing the ſpace contained in the said Report.

THE Committees appointed to meet to morrow at eight of the clock

THEN the Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

OCTOBER X, M,DC,XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

[Sir David Thoirs Advocat]

PETITION Sir David Thoirs of Inverkeithing Craveing that he may be allowed to qualifie himſelf to the effect he may be Reſtored to the Exerciſe of his imployment as an Advocat read and the

desire therof Granted he Qualifieing himself before Sir Colin Campbell of Aberuchill and Sir James Scougall of Whitehill

[Old 14 s. & 7 s. peices] THE Draught of the Act anent the old fourteen shilling peices and their halfs read the second time and after some amendments voted and approven

[Against mixing Salt in Ale] THE Draught of the Act against mixing salt in Ale & Beer read the second time. and after some debate it being put to the vote approve the Act or alter it carried approve.

[Against false Coyning] THE Draught of the Act against Clipping & falfe Coyning read the second time voted & approven

[Minors] THE Draught of the Act for freeing the persons of Minors within Pupillarity from Caption and other. personall Execution for debt and other Civil Causes read the second time voted and approven

[Registrating Bonds] THE Draught of the Act for Regiftrating bonds dispositions &c. after the granters death read the second time voted and approven.

[Bringing in water to Burghs] THE Draught of the Act for bringing in water to Burghs or any other place within the Kingdom read the second time and after some amendments voted and approven

[Importation of Irish Cattle] THE Draught of the Act against the importation of Irish Cattle Irish horse and Irish salt beef read the second time and the furder consideration therof delayed

[Forraign Ships] DRAUGHT of the Act in favors of Forraign Ships which Export coal read the first time and ordered to ly on the table

[Salt upon Salt] DRAUGHT of the Act for makeing salt upon salt read the second time and after some amendments voted and approven

[Justiciary of the Highlands] DRAUGHT of the Act for prorogating the Commission of Justiciary for the Highlands read the second time and after some amendments voted and approven

[Measuring of Malt] THE Draught of the Act Regulating the way & manner of measuring of Malt read voted and approven

DRAUGHT of the Act in favors of Mr William Erskine for making salt upon salt read a second time and after some amendments voted and approven [Salt upon Salt]

THE Draught of the Act that all Executions pass upon Inland bills and precepts as upon forraigne bills read the second time voted & approven [Inland Bills]

Remitt to the Session of the action John Trotter of Mortounhall & others against Sir James Dick of Priestfield

AT EDINBURGH the tenth day of October one thousand six hundred and ninety six years Anent the Summonds & action intented and persued befor His Majesties High Commissioner and the Right Honourable the Estates of Parliament At the instance of John Trotter of Mortounhall with the concourse of David Erskine of Dun and Sir Patrick Nisbit of Dean against Sir James Dick of Prieftfield Mentioning that where the deceist Henry Trotter of Mortounhall the Pursuers father Sir Mark Carse Sir Patrick Nisbit Grange Dick and Sir James Dick and severall others to the number of twelve haveing taken the tack of the Customes in anno I^m vj^c^ and seventy four years But in the event they being great Losers notwithstanding that they got nine thousand Pound Sterline of abatement they were necessitat to borrow severall soumes of money for their relief, It was insinuat by the Deceist Sir John Nicolson that they should assigne to one of their number the standing out Debts due to the Society which did amount to the value of ten thousand pound Sterling and accordingly the haill Copartners at least most of them did Subscrive ane assignation in favors of Captain Andrew Dick and did intrust the said Sir John Nicolson with the custody therof and who was not to deliver the same untill the saids Copartners should be sufficiently secured for their relief of twenty one thousand pounds Scots for which they granted bond to the deceist Earle of Dundonald and also till they were sufficiently Secured each of them for the soume of fyve thousand pounds Scots which each of them was necessitat to advance for Sir William Sharp then Cashkeeper, The said Sir John Nicolson did therafter intrust the said Sir James Dick who was Cashkeeper of the Society with the forsd assignation but did take an declaration and oblidgement from him The tenor and exact words of which is Received the assignation subscrived by the haill Partners of the Customs in favors of Captain Dick which is not to be given up till all be cleared with and then it is Subscrived James Dick. At the same time Sir John did also intrust Sir James with ane Bond of Relief granted by the said Captain Andrew Dick as prin^l^ and Sir John Nicolson as Cau^r^ to the Copartners for their relief of the Earl of Dundonalds money But Sir James without takeing any furder Security from the said Captain

Andrew and without acquainting of the Copartners did deliver up the aſsignation and therafter tranſacted with the Captain and took ane tranſlation from him By vertue of which he recovered Payment of the haill debts, The Copartners after this were diſtreſsed for the Earle of Dundonalds money and were neceſsitat to make payment This being the true ſtate of the matter of fact Dean of Gild Nicolſon as aſsigney conſtitute by Sir William Nicolſon Sir Johns brother did raiſe a proces befor the Lords of Seſsion againſt Sir James Dick founded upon the forſaid oblidgement and Declaration wherin the Lords did aſsoilzie Sir James as to the Repreſentatives of the ſaid Sir John Nicolſon in regaird the said Sir John was in peſsima fide to deliver up the forſaid aſsignation to the said Sir James Dick without conſent of the reſt of the Copartners but found Sir James Dick lyable to relieve the other Copartners. Upon which the said Purſuer and the other Copartners haveing raiſed a Proces founded upon the said Interloq^{r} and Declaration againſt Sir James the Lords did adhere to the said Interloq^{r} and found Sir James lyable to relieve him and the op^{r} perſons of the Earl of Dundonalds debt But he haveing given in a Petition reclameing againſt the ſd Interloq^{r} the Lords did allow ane hearing in preſence and therupon the votes ſpleit and four did vote in favors of Sir James and four againſt him and there were other four non liquids But two dayes therafter being the twenty firſt of January I^{m} vj^{c} and ninety one, one of the non liquids did declare that he was then clear to vote and accordingly did joyn with thoſe that did formerly vote for Sir James And therby he was simpliciter aſsoilzied But the said Compl^{r} and the other Perſuars judgeing themſelves therby leaſed did Proteſt for remeid of Law to His Majeſtie and the Parliament, and at firſt view it is evident that Sir James did betray his truſt in that matter by delivering up the forſaid aſsignation without the conſent of the other Copartners and by takeing ane tranſlation therof in his own favors and whereby he has recovered payment of upwards of ane hundred thouſand pounds Scots And seeing the Purſuer can proceed no farder befor the said Sir James be cited & untill the grounds of the Proces be produced Therfor His Majeſties High Commiſsioner and the Eſtates of Parliament by their deliverance of the date the twenty fourth day of June I^{m} vj^{c} and ninety five years did Remitt the forſaid cauſe to the Committee for privat affairs to hear the parties Pro^{rs} and to prepare and report the ſamen to the Parliament and granted Warrand to Macers and Meſs^{rs} at arms or either of them to eite the said Sr James Dick in manner therin mentioned and ordained Mr James Dalrymple of Killoch who was Clerk to the Proces befor the Lords of Counſell and Seſsion to produce the said Decreit haill warrands and grounds therof to the effect that either party might have inſpection of the ſame and granted warrant for citeing of what witneſses ſhould be neceſsar in the ſaid Cauſe for proveing of the ſamen Lybell And anent the charge given to the ſaid Sir James Dick perſonally apprehended to have compeared before his Majeſties High Commiſsioner and the Eſtates of Parliament or the said Committee for privat affairs at ane certain day now bygone to have heard and ſeen himſelf decerned to relieve the ſaid Purſuer and the other Copartners of the forſaid debt they have payed to the Earle of Dundonald And to make payment to them of ſuch other ſoumes of money as His Majeſties High Commiſsioner and the Eſtates of Parliament ſhould pleaſe modifie And als to have heard and ſeen the forſaid Decreit at his inſtance reduced reſcinded caſsed and annulled to have been from the begining to be now & in all time comeing null and of none availl force ſtrength nor effect Whereby the said Purſuer and other Copartners may cauſe the ſaid Defender as ſometime Caſhkeeper to their Society compt and reckon for the haill ſoumes of money he hath received either as Caſhkeeper as ſaid is or by vertue of an aſsignation from Captain Andrew Dick or the said Defendars declaration above ſpecified And alſe to make payment to the said Pursuer and other Copartners forſaids of what ſhall be found due by His Majeſties High Commiſsioner and Eſtates of Parliament conform to Law and Juſtice in all points And to have heard and ſeen all lawfull and needfull probation led in the said matter and to give his oath of verity therin which ſhall not be proven be writ or witneſses or elſe to have ſhowen ane reaſonable cauſe in the contrare With certification if he failzied His Majeſties High Commiſsioner and Eſtates of Parliament would reduce decern and declare againſt him as they ſhould find juſt and for the coaſt and ſkaith &c. as in the said Summonds and Executions therof at more length is contained. The said John Trotter of Mortounhall David Erſkine of Dun and Sir Patrick Niſbet of Dean compearing be Sir Patrick Home Advocat their Pro^{r} who produced in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament the Extract of an Inſtrument and Proteſt for remeid of Law bearing that upon the twenty ninth day of January I^{m} vj^{c} and nynety two years John Trotter of Mortounhall compeared befor the Right Honourable the Lords of Council and Seſsion haveing and holding in his hands the Proteſt for remeid of Law underwrin wherof the tenor follows and is thus Unto the Right Honourable the Lord Preſident and other Lords of Council and Seſsion the humble Proteſtation of John Trotter of Mortounhall That where the deceiſt Henry Trotter of Mortounhall my father with ſeverall other gentlemen being tacksmen and Copartners of the Cuſtom and Exciſe of this Kingdom at quyteing the tack therof did aſsigne to Captain Andrew Dick one of their own number the haill benefit of that tack which was

yet reſting to them unpayed & undelivered for the Captains relieveing them and their Succeſsors of what debts was contracted upon the common intereſt or granting good security for that effect the procureing wherof was intruſted to the care of Sir John Nicolſon of that ilk one of the Copartners who had the keeping of the aſsignation Therafter the ſd Sir James Dick Defender one of their number and Cashkeeper of the Society upon his receipt of this aſsignatione by the Partners and a Declaration that the ſamine ſhould not be given up till all were cleared with ſigned with his hand in March I^m^ vj^c^ and ſeventy nyne gets up the aſsignation and a Bond of relieff in our favors by Captain Dick as prinſt and Sir John Nicolſon as Caur, which till Sir James would cauſe the partners be cleared with according to his declaration was judged ſufficient But Sir James violating this truſt and declaration not only procured from our aſsigney a tranſlation of this right never ſuffering it to go out of his own hand but alſo retarded the Bond of Relief by which Captain Dick was diſsabled to perform his part of the agreement and receive a security, Sir John Nicolſon becauſe of his death which fell out ſhortly therafter had no opportunity to purſue Sir James upon his ſaid declaration did nevertheleſs conſult Sir George Lockhart in this matter by whoſe advice his airs with concurrance of Grange Dick one of the Partners for his own and their intereſts intented an action of relief or compt and reckoning with Sir James upon the aſsignation which laſting severall years and at length after many hearings in preſentia and frequent reports your Lordſhips did in February I^m^ vj^c^ and nynety one Aſsoilzie Sir James as to the heirs of Sir John Nicolſon finding him nevertheleſs lyable to relieve the other Partners as by your Decreit pronounced will bear But becauſe that Proces was not wholly and formally intented at our inſtance your Lordſhips were pleaſed to Recommend to us the raiſeing of a Summonds by ourselves to the ſame effect which we haveing done and after frequent hearing before my Lord Fountainhall upon his Lordſhips report in December laſt you did furder corroborat and renew the above written Decreit by a ſolemn Interloquitor then pronounced Againſt which Sir James Reclaiming was allowed a hearing in preſentia and after information given in by both parties your Lordſhips by an Interloq^r^ pronounced on the twenty firſt inſtant have not only been pleaſed to revock the forſd Interloq^r^ and Decreit which gave ground thereto but alſo to aſsoilzie the Defender simpliciter And I judgeing myſelf moſt enormely leaſed and highly prejudged by this laſt Interloquitor so as I think it not convenient for me to inſiſt farder in this action befor your Lordſhips am reſolved to make uſe of the right and priviledge of freeborn ſubjects of this realm to proteſt for remeid of Law to the King and Parliament againſt the ſaid laſt Interloq^r^ Therfor conform to the ſaid privilege competent to me I be theſe preſents proteſt for remeid of Law to the King and Parliament againſt the ſaid interloq^r^ pronounced in the Proecs above deduced on the twenty firſt inſtant to the effect the ſame may be rectified according to Juſtice and the known Laws and Practiq, of this Kingdom I moreover proteſt to have theſe preſents publictly read and recorded in your Lordſhips books and inſert in the decreit and Sentence (if your Lordſhips permit any to be extracted by the defender) anent the premiſses Upon all and which I took Inſtruments in the hands of Mr James Dalrymple of Killoch ane of the Clerks of Seſsion and Clerk to the Proces In witneſs wherof (written be Thomas Johnſtoun writer in Edinburgh) I have ſubſcrived theſe preſents at Edinburgh the twenty ninth day of January I^m^ vj^c^ and nynety two years Befor theſe witneſses John Muirhead and James Henry writers in Edinburgh Sic ſubſcribitur J Trotter Jo: Muirhead witnes James Henry witnes And which Inſtrument bears That the ſaid John Trotter delivered in to the Clerks table the abovewritten Proteſtation to be read by the ſaid Clerk and proteſted and took inſtruments in his hands as is above repreſented in all points And that the Lord Viſcount of Stair then ſitting in judgement desired the ſaid John Trotter to take inſtruments in his own nottars hand To which the ſaid John Trotter of Mortounhall anſwered My Lord I ſhall do ſo, And immediatly that the ſaid Laird of Morfounhall upon all and sundry the Premiſses aſked and took inſtruments in the hands of Archbald Ker nottar publict And which Inſtrument alſo bears that thir things were ſo ſaid and done in the Inner houſe of the new Parliament houſe of Edinburgh where the Lords of Seſsion uſually ſit betwixt eleven and twelve a clock in the forenone before and in preſence of the witneſses particularly inſert and therto subſcriveing And the ſaid Sir James Dick Defender Compearing be Mr David Cuningham Advocat his Pro^r^ And which action being given out ſeen and returned by the Defenders Pro^r^ in July I^m^ vj^c^ and nynety five in the fifth ſeſsion of this current Parliament Therafter upon the twenty eight day of September I^m^ vj^c^ and nynety ſix years in this ſixth Seſsion of the ſame Parliament the ſaid John Trotter of Mortounhall David Erſkine of Dun and Sir Patrick Nisbit of Dean gave in ane Supplication to his Majeſties High Commiſsioner and the right Honourable the Eſtates of Parliament Shewing That wheras Sir James Dick of Preiſtfield haveing obtained ane decreit againſt the Purſuers in January I^m^ vj^c^ and nynety two Finding and Declaring That the Import of a ticket granted by him in relation to an aſsignation ſubſcrived by the whole tackſmen of the Cuſtomes in favors of Captain Dick Bearing That he had received the ſaid aſsignation which was not to be

delivered up till all was cleared with And so Sir James ſubſcrives his Name Which the Lords fand did not import that the ſaid aſsignation in favors of Captain Dick was depoſitat in Sir James Dicks hands as is more fully contained in the ſaid decreit. And so cuts of the Petitioners from their intereſt in great ſoumes of money that belonged to them for their ſhares as partners of the said Tack of the Cuſtomes to which Sir James was lyable to compt to them as their Caſhkeeper And the Petitioners conceiveing themſelves to be leaſed by the Interloq^{r} upon which the said decreit proceeded The said John Trotter proteſted for remeid of Law to the King and Parliament And they haveing raiſed reduction and review of the forſaid decreit befor the laſt ſeſsion of Parliament the proces was accordingly ſeen and returned and ready to be called but through the multitude of buſineſs that was depending befor the Committee for privat affairs the Petitioners could not get in the said action before them Upon which they gave in a Petition the laſt day of the laſt ſeſsion of Parliament Craveing that they might be either heard in Parliament or otherwayes that the said action might be remitted to the Lords of Seſsion to be diſcuſt ſummarly without abideing the courſe of the roll to hear them upon the reaſons of Reduction and Juſtice of the decreit and interloq^{r} and that without regaird to the said decreit And accordingly the minuts of Parliament bears That the petition was read and the deſire of it was truely granted as was done in another caſe of the ſame nature in the reduction at the inſtance of Sir Alexander Hope of Kerſs againſt the repreſentatives of the Earle of Bramford and others by which the Parliament did remit the cauſe to the Lords of Seſsion and to reviſe the decreits therin mentioned upon the grounds of iniquity and other grounds and that ſumamarly without abideing the courſe of the roll conform to the minuts of Parliament and interloquitor dated the twelvth day of July I^{m} vj^{c} and nynety five and does conſiſt with the memories of ſeveral members of Parliament That the ſame Interloq^{r} was granted upon the Petitioners their Petition as was done in Kerſe his caſe But through the multitude of affairs being the laſt day of that Seſsion of Parliament the Clerk did omit to minut the Interloq^{r} upon their petition in theſe terms so that there was no more inſert in the minuts of Parliament but only that the Petition was read And seing it will be an unexpreſsible loſs and prejudice to the Petitioners If they get not ſpeedy redreſs againſt the said decreit Therefor humbly Craveing That His Grace His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament might take the Premiſses to their conſideration and either to allow the Petitioners a hearing in plain Parliament or otherwayes to remit the said action to the Lords of Seſsion to be diſcuſt summarly without abideing the courſe of the roll And to conſider the Juſtice of the said decreit and Interloq^{r} upon which it proceeded and that without regaird to the said decreit as was done in Kerſes caſe as the said Supplication bears The which Supplication abovewritten being upon the said twenty eight day of September I^{m} vj^{c} and nynety ſix years Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They ordained the said Sir James Dick defendar to ſee and anſwer the ſamine againſt wedenſday therafter with Certification And accordingly thereunto the said Sir James Dick and his Prörs haveing gotten up the said Petition and taken inſpection therof They returned the ſamine and gave in the Anſwers thereto following That the deceiſt Mortounhall the said David Erſkine of Dun Sir Patrick Niſbit of Dean with ſeverall others and the said Sir James Dick being farmers of his Majeſties Cuſtomes and forraigne Exciſe ſeverall of the forſaids tackſmen haveing borrowed from the Earle of Dundonald Twenty one thouſand pound and the tack being expired and the money to be payed They conſidered the condition of their affairs and rouped the outſtanding debts due by the merchants and others to them as tackſmen in order to payment of the forſd sum; And Andrew Dick haveing offered moſt he was preferred and haveing got an aſsignation to the forſaids debts ſigned by the whole partners gives his bond and Sir John Nicolſon cautioner for relieving the partners of the forſaid ſum due to Dundonald and which band was therafter corroborat by Sir William Nicolſon Sir Johns heir and who likewayes payed the one half of the ſum and his eſtate is adjudged for the reſt by the partners who ſtood engadged to Dundonald and the money conſigned ready to be uplifted the debts and effects of the tack being in Sir James Dicks hand as Caſhkeeper and generall receiver for the tackſmen the aſsignation did contain an expreſs clauſe impowering Captain Dick the aſsigney to compt clear and diſcharge Sir James Dick and to receive out of his hands the ballance and inſtructions of the debts rouped and aſsigned and to give Sir James up his bond relative to his truſt And therefore although the aſsignation was ſigned by Sir James & the whole partners yet he refuſed to give it up untill all were cleared with himſelf But in the mean time he gave a note to Sir John Nicolſon who was bound with Captain Dick for the relief of Dundonalds ſum whereby he did acknowledge he had received the aſsignation in favors of Captain Dick which was not to be delivered up according to the expreſs clauſe of the aſsignation untill all was cleared with Sir James himſelf And he haveing accordingly compted & cleared with Captain Dick and got a full and ample diſcharge from him the terms of the depoſitation were ſatiſfied and the aſsignation became Captain Dicks evident Sir John Nicolſons eſtate being incumbered and the granters

of the Bond oblidged to make the firſt advance to the Earl of Dundonald They purſue Sir James Dick for delivery of the forsaid Aſsignation as being a depoſitat write and founded upon his forſaid receipt: Which after full hearing and adviſeing in preſence by the Lords where there was neither prejudice nor partiality nor intereſt of either party to influence the ſentence The Lords found the aſsignation a delivered write and that Sir James his declaration mentioned in his receipt was only in favors of himſelf, that the aſsignation ſhould remain in his hands untill he were cleared with by the ſaid Andrew Dick the aſsigney. After this sentence there is no reclaimeing by any of the parties but the ſentence acquieſced in and diligence done upon Andrew Dick and Sir William Nicolſons bonds which were given as the price of that aſsignation; only this Mortounhall who was neither partner nor purſuer interpoſes a Proteſtation for remeid of Law and therupon raiſed Summonds the laſt Seſsion of Parliament but never inſiſted ſave in the laſt day therof he craved by Petition that the ſame might be remitted to the Lords of Seſsion to determine therin without regaird to the decreit; But this was ſo ill reliſhed by the Parliament that they refuſed the deſire therof and only marked in the minuts That the bill was read. And it is hoped it will conſiſt with the memory of the Honourable Members of Parliament that the bill being often ſhuffled in, in the throng of buſineſs there was another Bill concluding with juſt ſuch another odd deſire which was ſtill moved at the ſame time with it But the novelty and unreaſonableneſs of the deſire was the occaſion why they were both thrown out Nor is it poſsible that ever ſuch a Petition can paſs if it be not by ſurpriſe And so far the Petitioner miſtakes the matter of fact in repreſenting that his Petition was granted, but it was omitted to be minuted. Mortounhall, to make his intereſt the greater has this Seſsion given in a bill in his own name and in the name of David Erſkine of Dun and Sir Patrick Niſbit of Dean, lamely repreſenting the caſe and craveing either to be heard in plain Parliament or otherwayes to remit the action to the Lords of Seſsion to be diſcuſt ſummarly and to conſider the juſtice of the decreit and interloquitor upon which it proceeded without regaird to the decreit To which it is anſwered That there can be no hearing befor his Grace and the Honourable Eſtates upon the proteſtation of John Trotter of Mortounhall becauſe he is neither purſuer nor defender in the proces befor the Seſsion and ſo could not proteſt And as for David Erskine of Dun and Sir Patrick Niſbit of Dean They cannot be heard befor the Parliament againſt that decreit becauſe though they were purſuers and that the decreit is againſt them yet they acquieſced in the ſentence and did not Proteſt and ſo cannot crave the ſame to be reviewed upon injuſtice. As to the second member of the deſire the ſame is groundleſs and illegal For seing there is no ground for reviewing befor the Parliament there is no neceſsity for the Parliaments remit Secundo The Sentence of the Lords can only be challenged of iniquity and injuſtice by way of Proteſtation to the Parliament and there is no legal proteſtation here interpoſed as ſaid is And if there were, The Parliament to remit to the Seſsion were to remit to them to conſider their own unjuſtice And if they adhere to their Decreit then there would be a new Proteſtation to the Parliament and ſo from Seſsion to Parliament and from Parliament to Seſsion in a circle in infinitum which is againſt reaſon and the common courſe of Juſtice that pleas ſhould not once terminat & be at an end. Tertio To remit to the Lords to conſider the juſtice of the decreit without regaird to the decreit is to reduce the decreit without hearing: For the Remit with power to conſider the juſtice of the cauſe does turn the decreit to a lybell whereby all the pains and expenſs beſtowed in that affair for many years are entirely loſt without ſo much as one fair hearing of the cauſe and contrare to all the known and neceſsary cuſtomes of this Nation a decreet is opened without being brought in the field. As to the inſtance given of Sir Alexander Hope againſt the heirs of the Earl of Bramford the ſame is only a remit in common form without predetermining the Lords Nor does a ſingle inſtance wherof the particular circumſtances are not known make a conſtant practiq, and God forbid it ſhould in a caſe of ſo general a concern as this preparative would be in the Nation. The Petitioner and Dun who has the honour to be a member of the high Court of Parliament uſe hard words and endeavour to prepoſſeſs the minds of the members with ſtrange ſtories as to which Sir James Dick ſhall only ſay that if their leaſure could allow a full hearing theſe ſtories would evaniſh whereof this may ſerve as an evidence That the Lords of Seſsion have found them groundleſs and the partners have approved the whole tranſaction ſome by poſitively & judicially adhering to it and diſclaiming the Proces before the Lords, and others by uſeing diligence on the bond granted by Captain Dick as the price of the aſsignation and all by acquieſcing except Mortounhall who had no right to proteſt. In reſpect whereof the deſire of the bill ought to be refuſed and the Petitioners remitted to the common courſe of juſtice as accords, as the ſaids anſwers [bears] Unto which anſwers the said John Trottar of Mortounhall David Erſkine of Dun and Sir Patrick Niſbit of Dean gave in the Replyes following That they would not trouble the Commiſsioners Grace and the Honourable Eſtates of Parliament with a long deduction of the affair betwixt them and Sir James Dick from its firſt originall in all the ſteps and circumſtances therof Only they beg liberty to repreſent ſo much as is

neceſsar for convinceing the members of Parliament how groundleſs and calumnious Sir James's anſwers are which he has printed and diſperſed of purpoſe to decline a hearing Being convinced that the honourable Eſtates of Parliament could not but in juſtice redreſs the saids Gentlemen of the great injury he has done them to give it no worſe term and that under truſt being all unite in one Society and he being their Caſhkeeper and haveing a conſiderable ſellary; The deceiſt Mortounhall, Laird of Dun and Sir Patrick Niſbet with ſeverall others being Tackſmen of His Majeſties cuſtomes and forraigne Exciſe each of them borrowed fyve thouſand pound ſcots for payment of the Kings tack duty and beſides there was twenty one thouſand pound Scots borrowed from the Earle of Dundonald upon the common credit Which ſoumes Sir James Dick the Caſhkeeper was appointed by the Tackſmen to pay out of the firſt and readieſt of the effects in his hands or what he ſhould get in from the Merchants and others who had given bonds to the Tackſmen and the deceiſt Sir John Nicolſon being one of the Tackſmen himſelf and haveing a great influence upon the reſt did prevaill with them to ſubſcrive ane aſsignation in favors of Captain Dick who was another of the Tackſmen of all the outſtanding debts And Sir John then promiſed That the aſsignation ſhould not be delivered while Dundonalds money and every one of their fyve thouſand pound were ſatiſfied and which aſsignation was depoſitat in Sir John Nicolſons hands upon thir expreſs terms Notwithſtanding wherof he delivered the ſame to Sir James Dick the Caſhkeeper not doubting but the reſt of the Tackſmen would be ſufficiently secured in their intereſts And he takes from him a Declaration in thir expreſs terms (Edinburgh March 22. 1679 Received the aſsignation Subſcrived by the whole Copartners intereſted in the Cuſtoms in favors of Captain Dick which is not to be given up till all be cleared with and therafter he ſubjoyns his ſubſcription J. Dick) Notwithſtanding of which truſt given to Sir James Dick and of the forſd declaration yet he immediatly contraveens both and enters in a tranſaction with Captain Dick the aſsigney being his own Couſing German and obtains from him a tranſlation to the saids outſtanding debts and therupon recovers from the debitors upwards of ten thouſand pound ſterline whereby all the reſt of the Tackſmen are defrauded and are neither relieved of their own proportions being each of them five thouſand pound ſcots which they borrowed to pay the Kings tack duty and they are likewayes forced to pay twenty one thouſand pound to the Earl of Dundonald which was raiſed upon their common credit. Sir John Nicolſon haveing dyed immediatly after the delivery of the aſsignation to Sir James Dick, Sir William his brother did raiſe a proces againſt Sir James befor the Lords of Seſsion founded upon his forſaid Declaration, whereby the aſsignation was not to be delivered up till all was cleared with; And the Lords by their interloq^r found That Sir John Nicolſon was in mala fide to deliver up the aſsignation: And likewayes that the reſt of the Tackſmen had good intereſt to pursue Sir James Dick not only for Dundonalds money but likewayes to cauſe him compt for all ſums of money he had received as Caſhkeeper and that notwithſtanding of the tranſlation in his favors from Captain Dick. Thereafter this Mortounhall and the other partners raiſed a Proces befor the Lords againſt Sir James and they by their interloquitor did again find that Sir James was lyable to compt and to relieve them of Dundonalds money, And haveing reclaimed againſt this Interloq^r and procured a new hearing the Lords did alter the ſamine in Sir James his favors and found that the forſaid Declaration granted by Sir James was only a Security for himſelf and not for the reſt of the Tackſmen and that the meaning and import therof ſhould be that the aſsignation ſhould be delivered up when all ſhould be cleared with himſelf. By this laſt Interloq^r all the Tackſmen are loſers in conſiderable and vaſt ſums of money except Sir James himſelf who is one of the Tackſmen and intruſted as their Caſhkeeper who hath enriched himſelf in upwards of ten thouſand pound ſterling which he hath recovered by vertue of that unwarrantably delivered aſsignation and tranſlation therto in his own perſon which profite ought to have been divided amongſt the reſt of the Copartners, and applyed for relieving them of the debts contracted in the Society. Mortounhall being thus enormely leſed in his fortoun and intereſt did immediatly after the forſaid interloq^r was pronunced Proteſt for remeid of Law and applyed to the laſt Seſsion of Parliament for a review of the said ſentence And being remitted to a Committie and parties being heard with their procurators the Committee had no leaſure to make a report but Mortounhall gives in a Petition in plain Parliament craving that his cauſe might be remit to the Lords of Seſsion to be diſcuſt summarly without regaird to any decreit which was accordingly granted But the minut not being timeouſly offered to be ſigned by the Lord Preſident therfor there was nothing extracted So that Mortounhall has now renewed his Petition craveing either to be heard in plain Parliament or elſe a remit in the terms above repreſented To which Petition Sir James makes thir following anſwers Firſt that Mortounhall was neither purſuer nor defender befor the Lords of Seſsion ſo that no Proteſt can be ſuſtained at his inſtance and as for Dun and Sir Patrick Niſbet they acquieſce to the ſentence who are the only contradictors in the Proces befor the Seſsion It is replyed that the alleadgeance is moſt falſe and calumnious for Mortounhall is not only purſuer as heir to his father and expreſsly mentioned and named as ſuch in the Summonds and all the Acts and minuts of

Proceſs But likewayes he contribute to the defraying the Expenſſ therof appeared perſonally at the bar and as a party and the informations were given out in his name which if need beis can be inſtantly inſtructed So that it is wondered how Sir James Dick can take the boldneſs to repreſent to the Honourable Eſtates of Parliament ſo manifeſt a falſhood and which can be so eaſily redargued, and it ſeems he has no great confidence in the materiall Juſtice of his cauſe when he recurrs to ſuch ſubterfuges But Secondly Eſto he had not been the purſuer or ſo much as mentioned in any of the ſteps of the Proces yet being heir to his father who was one of the tackſmen and ſo concerned in the effect and conſequence of the Interloq^{r} and thereby leſed it would give him a good title to proteſt for remeid of Law againſt the ſamen; Remedies being only ſought by thoſe who are wronged Thirdly tho Dun and Sir Patrick Niſbet did not concurr with Mortounhall when he entered to proteſt yet what can hinder them now to take the benefite therof and to concurr in the diſcuſsing of the ſamine ſince if the Decreit be laid open as to one it muſt be ſo as to all Secondly Sir James alleadges that it were inconvenient to remit to the Seſsion for if they adhere to their Decreit then there will be a new Proteſtation for remeid of Law to the Parliament and ſo from Seſsion to Parliament and Parliament to Seſsion in infinitum, & ſo pleas would never terminat or be at an end It is replyed that Proteſtations for remeid of Law being introduced by expreſs Act of Parliament whatever be the inconvenient therof the gentlemen concerned in this Proces are not bound to debate that being ſufficiently conſidered the time the Law was makeing; But being made they cannot be blamed to take the benefite therof however inconvenient the ſamen may be to Sir James. But Secondly they are content to ſalve that inconveniences and to declare that this Proces ſhall terminat when the Lords of Seſsion ſhall determine upon this remit without any furder Proteſtation for remeid of Law. Thirdly It is alledged for Sir James that to remit without regard to the decreit is to reduce the decreit without hearing Becauſe a Remit to conſider the juſtice of the cauſe turns the decreit to a lybell and so Sir James loſses his expenſſ To this it is replyed That the ſame is juſt of the nature of the former being a pretended inconvenient which ariſes from the nature of Proteſtations for remeid of Law for if the Parliament may review the Lords of Seſsions decreits and conſider the material Juſtice therof without regaird to a decreit extracted why may not the Lords of Seſsion likewayes review their own decreits when the Parliament devolves that power upon them and that without regaird to a decreit extracted or the ordinary objections proponed or repelled, and competent or omitted and Remitts of this nature has been formerly granted and particularly Sir Alexander Hope againſt the heirs of the Earl of Bramford in the very ſame terms as now craved viz. To conſider the materiall Juſtice and to diſcuſs ſummarly without regaird to a decreit ſtanding In reſpect wherof since at the cloſe of the laſt Seſsion of Parliament this Remit was granted upon a Petition given in and only there was an omiſsion to get the minut timeouſly ſubſcrived by the Lord Preſident as may be recent in the memory of many of the Honourable members It is therfore humbly Craved that the Warrand may be now renewed for the Extract therof since it is not probable that there can be a clearing in plain Parliament the Seſsion being now ſo near a cloſe as the ſaids replyes likewayes bears. Which Supplication abovewritten with the anſwers above mentioned made thereto being at length ſeen heard read and conſidered by his Majeſties High Commiſsioner & the Eſtates of Parliament and they therwith being weel and ryply adviſed They have Remitted and hereby Remitts to the Lords of Council and Seſsion to Conſider how far Mortounhalls Proteſtation for remeid of Law can be extended and to conſider the Juſtice of the decreit complained upon and that with a Parliamentary power to them to cognoſce upon the said decreit As alſo they have Remitted and hereby Remits to the ſaids Lords to modifie large Expenſſ in caſe the Petitioner succumb in this Reduction.

PETITION the Earl and Counteſs Dowager of Seaforth againſt Sir John Dempſter of Pitliver read. [Seaforth ag^{t} Pitliver]

THE Committees appointed to meet upon Munday nixt at nine a clock in ꝑe forenoon

THEN the Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Munday nixt at ten a clock in the forenoon

OCTOBER XII, M, DC, XCVI.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

ACT for Building a bridge over the water of Avan Act againſt the deſtroying of Black fiſh and ſalmond fry, Act appointing Proclamations and other Executions within the Stewartry of Monteith to be publiſhed and Execute at the mercat croſs of Doun in place of the Top-alata, Act againſt Duells, Act anent Inland Bills and Precepts, Act anent the meaſuring of malt, Act anent the old fourteen ſhilling peices and their halfs, Act anent Regiſtration of writts after the granters deceiſs, Act for ꝑe [Acts touched with the Sceptre]

better prepareing of Barley, Act prorogating the Commiſsion of Juſticiary for the Highlands, Act declaring Minors free from perſonall Execution for civill Cauſes dureing their pupillarity, Act againſt falſe Coyning and Cliping of Money, Act diſchargeing the makeing uſe of Salt in brewing Ale or Beer, Act for makeing ſalt upon ſalt, Act anent makeing ſalt after a new manner, Act in favors of Mr William Erſkine for makeing Salt upon Salt, Act for bringing water into Burghs and other places needfull all touched with the Scepter by his Majeſties High Commiſsioner in the uſuall manner.

ACT for Building a Bridge over the Water of Avan

34 AT EDINBURGH the [twelfth] day of October one Thouſand ſix Hundred and ninety ſix years Anent the Petition Given in and Preſented unto His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament by the Toun of Borrouſtounneſs for themſelves and others trading and reparing from the weſt of Scotland to the ſaid Toun Humbly Shewing That where the ancient way from the foot of the water of Aven to the ſaid Toun is neceſsarly turned a conſiderable ſpace about by the parks and incloſures of Kinneil through very bad deep and uneven ground and that the Petitioners are often in hazard of their lives and damnifieing of their goods when the ſaid water of Aven is in ſpeat For Remeid of which the Petitioners have meaned themſelves to his Lordſhip the Earle of Arran for a way through any convenient part of his incloſures and arable ground and for liberty to build a bridge over the ſaid water upon his ground Which requeſt His Lordſhip has granted to them Provideing they and the other Touns who are to have the benefite of the ſaid Bridge ſhall contribute for building the ſaid Bridge and ane wall to ſeclude the way from his Incloſures And als that the Petitioners ſhould procure an Act of Parliament authorizeing his Lordſhip to exact a Cuſtome of all carts horſe loads and carriadges of merchant goods and others paſsing over the ſaid water or haveing the benefite of the way through his incloſures at the neareſt Extent as ſaid is to Compence him of the loſs and damnadge of his parks and arable ground yearly And therefore Craveing His Grace His Māties High Commiſsioner and Honourable Eſtates of Parliament to Ordain a voluntar Contribution through the Kingdom or ſuch Touns as will have the benefite of the ſaid Bridge and way viz. Falkirk Stirling Glaſgow Air Irving Dumbartoun and the Paroches of Airth Bothkenner and the landward Paroch of Falkirk to Contribute and Bear a proportion of the charges therof with the Petitioners and to grant an act authorizeing the ſaid Earle to exact a reaſonable Cuſtome for makeing up the damnadge of his parks and loſs of his arable ground and for upholding the Bridge, walls, and calſay to be built for that effect as the ſaid Petition bears. Which being upon the twenty fifth day of September laſt bypaſt Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They by their deliverance written theron Remitted the ſame to the Committie for trade and to report. And the ſaid Committee for trade did upon the thirtieth day of September laſt Give their Interloq^r and opinion That a Warrand be given for a generall voluntar Contribution over the Kingdom for building the above Bridge walls and calſayes and for Exacting a cuſtome of four pennies of every loaded horſe paſsing therat and Eight pennies of every loaded cart to continue for the ſpace of nineteen years and two pennies for every horſe load and four for the cart load in all time therafter toward the maintaining therof the cuſtome allwayes commenceing after building the Bridge. And His Majeſties High Commiſsioner and the Eſtates of Parliament haveing heard and considered the above Report (upon the fifth day of October inſtant) with the objection offered for the Toun of Linlithgow againſt the ſame They by their deliverance written on the ſaid Petition & Report Have approven and hereby approves of the Report and have Ordained and hereby Ordains it to take effect Reſerveing the Toun of Linlithgows right conform to their gift as accords.

WILLIAM Higgins Commiſsioner for the Burgh of Linlithgow Proteſted in name of the ſaid Burgh That their right might be Reſerved to them as accords Notwithſtanding of the forſaid Grant

Proteſtation the Toun of Linlithgow ag^t the above written Act

ACT againſt Killers of Black Fiſh and Deſtroyers of the Fry & Smolts of Salmond

OUR SOVERAIGN LORD Considering the great advantadge that redounds to this Kingdom by the Salmond fiſhing therof and that the same is much prejudged by the Killing of Black Fiſh and Kipper in forbidden times and by deſtroying the fry and ſmolts of Salmond with Creills at Miſh dams and other engynes; For Remeid wherof his Majeſtie with advice and conſent of the Eſtates of Parliament Does Ratifie Confirm and Approve the haill former Lawes and Acts of Parliament made anent the Killing of Salmond Kipper and Black Fiſh in forbidden tymes, and the killing and deſtroying of the Fry and Smolts of Salmond: And hereby ſtrictly Commands and Requires the ſeverall Judges to whom the Execution of the forſaids Lawes are committed to Execute the ſame with all rigour and to Exact the penalties allowed by Law as they will be anſwerable at their higheſt perill; And in caſe any perſons who ſhall be found 35

guilty of the contravention of any of the former Acts made againſt Killers of Kipper or Black fiſh or deſtroyers of the fry or ſmolts of Salmond, ſhall not be able to pay the pecuniall fines allowed by Law That the Judge before whom the perſon ſo guilty ſhall happen to be convict may puniſh the delinquent corporally or by baniſhment as he ſhall think fit Or otherwayes if the delinquent be found fit to ſerve in the Recruits that he be delivered to any of the officers of his Majeſties fortes for the uſe of his Majeſties ſervice And farder His Majeſtie and Eſtates of Parliament (for the more effectuall diſcovery of the Perſons guilty of Killing of Kipper or Black fiſh and deſtroying the fry and ſmolts of Salmond) Do hereby allow the half of the fines to be impoſed by vertue of this or former Acts to be payed to any perſon who ſhall make diſcovery of the delinquents And in reſpect that the Salmond fiſhing within this Kingdom is much prejudged by the height of miln dams that are carried through the rivers where ſalmond are taken His Majeſtie with conſent of the Eſtates of Parliament Ordains a conſtant ſlop in the mid ſtream of each miln dam dyke and if the dyke be ſettled in severall grains of the river that there be a ſlop in each grain (except in ſuch rivers where cruives are ſettled) and that the ſaid ſlop be als big as conveniently can be allowed Provideing allwayes the ſaid ſlop prejudge not the going of the milns ſituat upon any ſuch rivers Likeas His Majeſtie with conſent forſaid Diſcharges all fiſhing at ſuch miln dam dykes with nets ſtented or otherwayes or any other Engynes whatſomever under the pains inflicted by this and former Acts againſt killers of Black fiſh and deſtroyers of the fry of Salmond.

ACT appointing Proclamations and other Legall Executions within the Stewartry of Monteith to be publiſhed & execute at the mercat croſs of Doun in place of the Tapaltae

36 OUR SOVERAIGN LORD Considering that all Proclamations and Executions of Legall Diligences for the Stewartry of Monteith were formerly by ancient cuſtome proclaimed and execute at the Tapaltae (commonly called top of Lata) of Doun being a riſeing ſpot of ground within a privat yard and at a conſiderable diſtance from the Toun of Doun, And there being not only weekly mercats and ſeverall yearly fairs held at the ſaid toun of Doun But alſo ane mercat Croſs erected in the midle of the Toun moſt convenient for publications and all other legall Executions Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament Statute Ordain and Declare That for hereafter all publict Proclamations and Execution of all legall diligences whatſomever which by Law and cuſtome ought to be proclaimed uſed and Execute at the ſaid Tapaltae of Doun ſhall be proclaimed uſed and execute at the ſaid Mercat croſs of Doun Declaring hereby all Proclamations and other legall diligences that ſhall be otherwayes publiſhed or Execute to be null and void and that notwithſtanding of any Law or Cuſtome to the contrary which are hereby reſcinded and declared void in ſo far as the ſame is contrare hereunto. And Ordains this preſent Act to be publiſhed and printed that none may pretend ignorance thereof

ACT againſt Duells

OUR SOVERAIGN LORD with advice and 37
conſent of the Eſtates of Parliament Statutes and Enacts That whoſoever principall or second or other interposed perſon gives a challenge to fight a Duell or ſingle Combat or whoſoever accepts the ſame or whoſoever either principall or second on either ſide ingages therin albeit no fighting inſue ſhall be puniſhed by the pain of baniſhment and Eſcheit of moveables without prejudice to the Act already made againſt the fighting of Duells Which his Majeſtie with Conſent forſaid hereby Ratifies and Confirms.

ACT anent Inland Bills and Precepts.

OUR SOVERAIGN LORD with advice & con- 38
ſent of the Eſtates of Parliament Statutes Enacts and Declares that the ſame Execution ſhall be competent and proceed upon Inland Bills or Precepts as is provided to paſs upon Forraigne Bills of Exchange by the twentieth Act of the third Parliament King Charles Second holden in anno Ivjc and Eighty one which Act is hereby Extended to Inland Bills and Precepts in all points.

ACT anent the Meaſuring of Malt

OUR SOVERAIGN LORD with advice of the 39
Eſtates of Parliament Conſidering the great prejudice ſuſtained by the fraud and abuſes committed in the makeing and meaſureing of Malt Do for Remeid therof Statute and Ordain That in time cpmeing all Malt that is ſold and bought within this Kingdom ſhall be delivered with the Heap furlat according to the bear furlat of the place where it is delivered Certificing any of the Leidges who ſhall Contraveen this Act that they ſhall not only be eſteemed Contraveeners of His Majeſties authority and Laws But ſhall likewayes be amerciat both buyers and ſellers in the ſum of ten pounds ſcots toties quoties over and above the confiſcation of ſuch malt as ſhall be ſo ſold bought or delivered to the firſt informers Requiring hereby

all Magiſtrats both in Burgh and Land to ſee this Act put in due Execution as they will be anſwerable, And Declares that this Act ſhall ſtand in force untill the nixt Seſsion of Parliament and no longer

ACT anent the old Fourteen ſhilling peices and their Halfs.

40 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament, for removeing the difficulty ariſeing to Commerce by the deficiency of the weight of the old fourteen and seven ſhilling peices the moſt part if not all of them being worn by uſe and length of time below the legall ſtandard of coyn within this Kingdom, Statutes, Ordains & Enacts That all old fourteen ſhilling peices weighing two drops and twenty ſeven grains and their halfs weighing proportionally ſhall be received at their preſent current rate in all payments whatſomever As alſo that all the other old fourteens and their halfs under the said weight ſhall paſs in all payments at the rate of three pound four ſhilling the ounce being a groat for the drop And His Majeſtie with conſent forſaid Ordains the saids pieces to paſs and be received at the rate and weight above appointed under the pain of the double of what ſhall be refuſed to be summarly exacted at the inſtance and for the uſe of the offerer by all Judges ordinary and Ordains all the inferior ſpecies under the said ſeven ſhilling pieces to paſs as formerly

ACT anent Registration of Writts after the Granters deceaſe.

41 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament Statutes and Declares that all Bonds Diſpoſitions Aſsignations Contracts and other Writts Regiſtrable may be Regiſtrat after the Granters death ſicklike and in the ſame manner and ſhall make als much faith in Judgement and outwith the ſame as if the saids Writts were Regiſtrat before the granters deceaſe notwithſtanding of whatſoever Laws or cuſtoms in the contrair

ACT in favors of John Hamilton for Sheeling and Preparing of Barley.

42 OUR SOVERAIGN LORD conſidering that conſiderable quantities of forraign Barley ſheiled abroad in milnes commonly called French Barley are imported And that the barley of the grouth of this Kingdom might be very fit for the ſame uſe if duely ſheeled and prepared and His Majeſtie underſtanding that John Hamilton merchant burges of Edinburgh is willing to beſtow Labour and Charge in ſetting up milnes and engynes and bring into this Kingdom skilfull perſons for Sheeling and preparing barley of the grouth of this Nation fit to be uſed in place of the said forraign grain And being willing to give all due encouragement to ſuch as undertake the setting up of works for increaſing the conſumption of the naturall product of the Kingdom Therefore His Majeſtie with advice and conſent of the Eſtates of Parliament not only allowes and authorizes the said John Hamilton and the Partners aſsumed and to be aſsumed by him and his and their airs and aſsigneyes to set up milnes and other engynes ane or mae for Makeing and Preparing the Barley of this Kingdom in the ſame manner as the forraigne Barley commonly called French Barley is prepared abroad and to make the ſame fit to be made uſe of as the ſame barley is now uſed But likewayes His Majeſtie with advice and conſent forſaid Statutes Enacts & Declares the said John Hamilton and his Partners and their forſaids Servants and others to be employed in the work shall brook and enjoy all the priviledges in favors of Manufactories by the Laws of the Kingdome And particularly but prejudice of the generality the halll priviledges other Manufactories have conform to the tenor of the Act of Parliament for encourageing and ſetting up of Manufactories which are hereby holden as expreſt herein Declaring allwayes that the said John Hamilton and his Partners and their forſaids are only to prepare and make uſe of barley of the grouth of this Kingdom and not to import any forraigne barley for the uſe forſaid And for their farder encouragement doth hereby Prohibite and Diſcharge all others to make or prepare barley in manner forſaid That is with the like Inſtruments for the ſpace of nineteen years without Licence from the said John Hamilton and his Partners under the penalty of five hundred merks toties quoties to be payed by the Contraveeners to the said John Hamilton and his forſaids attour the Confiſcation of the milnes and other engynes the one halfe to the informers and the other half to the uſe of the Poor of the Paroch where the work ſhall be ſet up and found Provideing allwayes that this preſent Act ſhall hinder no perſon to prepare or cleanſe bear or barley in any way or manner that hath hitherto been accuſtomed or in any other manner different from that to be ſet up by the said John Hamilton As also that if the said John Hamilton and his Partners ſhall not proſecute the work or after proſecution therof ſhall deſiſt for the ſpace of two years togither that then and in that caſe the priviledges hereby granted to the said John Hamilton and his Partners ſhall ceaſe and thir preſents ſhall become void and null As alſo it is hereby Declared that this preſent Act ſhall be but prejudice of privat perſons to ſheel and prepare barley after the ſame manner as the said John

Hamilton and his Partners ſhall ſheill the ſame with their milnes that they have already ſet up befor the date hereof and that for their own uſe allennarly.

ACT Prorogating the Commiſsion of Juſticiary for the Highlands

43 OUR SOVERAIGN LORD considering that there being a part of the time already paſt for which the Earle of Argile as haveing right to the heretable Juſticiary Generall or any other perſon haveing right of Juſticiary Generall in the Highlands were oblidged to grant their Commiſsions to ſuch perſons as His Majeſtie ſhould be pleaſed to name Commiſsioners of Juſticiary for Secureing the peace of the Highlands conform to the thirty ſeventh Act of the fifth Seſsion of this current Parliament anent the Juſticiary in the Highlands And it being neceſsar that the saids Commiſsions be continued for ſome longer time Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament Prorogats the forſaid proviſion of granting the forſaids Commiſsions for the ſpace of one year after elapſing of the three years contained in the said Act and in the terms and with the Reſervations particularly ſet down therin And farder Statutes & Ordains that the delinquents who ſhall be purſued befor the saids Commiſsioners may be proceeded againſt by Indictment on a citation of ſix dayes and that the Commiſsioners may after hearing of all defences adviſe the Relevancie of any Lybell or Indictment infiſted in before them with cloſe doors notwithſtanding of any Act of Parliament already made in the contrair And for the better reſtraining and repreſsing of thifts and depredations It is Statute and Ordained that the saids Commiſsioners may inſtead of the pain of death to which perſons guilty of thoſe crymes are lyable by Law, inflict an arbitrary Puniſhment by fineing, baniſhment or other corporall pain as they ſhall think fit.

ACT declaring Minors free from Perſonall Execution for Civill Cauſes dureing their Pupillarity

44 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament Statutes and Ordains that no Minor within the years of Pupillarity be lyable to Caption or Warding for any debt or civil Cauſe But declares all ſuch Minors in reſpect of their nonage and dureing their Pupillarity forſaid to be exempted and freed from the ſame.

ACT againſt falſe Coyning and Clipping of Money

OUR SOVERAIGN LORD conſidering that 45
the Coyning of falſe Money and the Clipping and diminiſhing the current Coyn of this Kingdome have of late been much more frequent then formerly and ought to be ſeverly puniſhed Therefor His Majeſtie with advice and conſent of the Eſtates of Parliament not only Ratifies and Approves all former Laws and Acts of Parliament againſt Coyners of falſe money but furder Statutes Ordaines and Declares that whoſoever for hereafter ſhall be guilty art or part of Coyning falſe money or of clipping waſhing rounging razing fyling or any other manner of way diminiſhing or falſifieing any of the proper money or Coyn of this Kingdom or allowed to be current within this Kingdom or that hereafter at any time ſhall be the current money or coyn of this Nation shall be puniſhed with the paines of death and Confiſcation of Moveables.

ACT diſcharging the makeing uſe of Salt in brewing Ale or Beer

OUR SOVERAIGN LORD for Removeing 46
and Preventing the abuſe committed by certain brewers of ale and beer and the bad effects therof Doth with advice and conſent of the Eſtates of Parliament ſtrictly Prohibite and Diſcharge the makeing uſe of ſalt in Brewing or makeing of the saids Liquors whither in waſhing or ſeaſoning of their veſsells or any other manner of way whatſomever under the pain of confiſcation of the Brewing looms and veſsells with all Liquors to be found therin attour the loſs of his freedom if the tranſgreſsor be a burgeſs and the being incapable to uſe the trade of Brewing in all time thereafter whither he be burgeſs or not And for diſcovery thereof His Majeſtie with conſent forſaid hereby ordains the saids Looms and Liquors to be given to the informer who ſhall in that caſe be free from the said penalty albeit he have been imployed as a Servant or be accomplice or otherwayes accеſsory therto And the Contravention of this Act to be proven by the parties oath or any other way prout de jure.

ACT for makeing Salt upon Salt

OUR SOVERAIGN LORD with advice and 47
conſent of the Eſtates of Parliament Statutes and Ordains that all perſons undertakeing the makeing of Salt upon Salt ſhall have the priviledge of Manufactories, Provideing that this Act and Grant import no farder exemption of forraign ſalt from Cuſtoms Exciſe or other dues then was in uſe of before

ACT in favors of Sir John Shaw of Greenock and others for makeing Salt after a new manner

48 OUR SOVERAIGN LORD conſidering that Sir John Shaw of Greenock John Haldan of Gleneagles Baillie George Clerk and Robert Watſon Merchant in Edinburgh intend to imploy a conſiderable ſtock upon fiſhing, and that in order thereunto they project to make ſalt after a new faſhion not formerly practiſed within this Nation fit for curing of fiſhes without the help of any forraigne ſalt And being willing to grant all due encouragement for improveing the native product of this Kingdom Therefore His Majeſtie with advice and conſent of the Eſtates of Parliament doth Statute Enact and Declare that the said Sir John Shaw John Haldan George Clerk and Robert Watſon and their aſsigneyes being natives of this Kingdom or Naturalized (imploying a ſtock upon fiſhing and a project or undertakeing to make Salt in a new manner or faſhion not formerly practiſed within this Kingdom as aforſaid) shall bruik and enjoy all the Priviledges and Immunities provided in favors of Manufactories & Fiſheries and perſons imployed therein by the Laws of this Kingdom. And becauſe the forſaids perſons or their aſsigneyes may have occaſion to purchaſe ſome parcells of ground within the ſea mark (that is ſo far as the ſea ebbs and flowes) on the north ſide of the Firth and river of Forth betwixt the Toun of Alloway and Crown point below Culroſs as alſo may have occaſion to purchaſe ſome parts or parcells of dry ground without the ſea mark nixt adjacent to the said coaſt It is hereby declared that in caſe the parcells of ground forſaid within the Sea mark ſhall be found to belong to any particular Heritor or Heritors or that they have any intereſt therin and be ſo incumbred that they cannot ſell or that the saids parcells of ground without the ſea mark to be purchaſed are ſo incumbred that they cannot be ſold or the Heritor in either of the caſes Minor or not in a condition ſo ſell the ſamen in theſe or any of theſe caſes the said parcells of ground with free iſh and entry thereto ſhall be adjudged by decreit of the Lords of Seſsion in a proceſs at the inſtance of the perſons above named and their forſaids calling the preſent Poſſeſſor (who ſhall be preſumed Heritor) or factor in caſe of Sequeſtration In which proceſs the Lords of Seſsion ſhall proceed summarly without abideing the courſe of the Roll, And the said Lords are hereby impowered to take Cognition of the value and to take Security or order payment or conſignation of the price as they ſhall ſee cauſe Provideing allwayes that for the forſaid parcells of ground within the ſea mark His Majeſties conſent for his intereſt be firſt obtained where His Majeſtie hath not already diſponed the ſame And that the said parcells of ground within the ſea mark shall not exceed in all (whither lying togither or separatly) the length of two miles And the said parcells of dry ground without the ſea mark ſhall not exceed twelve acres belonging to any one heritor nor comprehend any yeards avenues or incloſures near the dwelling houſes of Heretors nor ſalt pans nor be within one quarter of a mile of any built harbour capable to receive ſhips of Burden

ACT in favors of Mr William Erſkine for making Salt upon Salt

OUR SOVERAIGN LORD conſidering that by 49
an Act of this Seſsion of Parliament the priviledge of Manufactories is granted to all undertakers to make Salt upon Salt And that Mr William Erſkine of hath taken great pains and been at conſiderable expence in that Art and is willing to practiſe the ſame for the ends forſaids Therfor His Majeſtie with advice and conſent of the Eſtates of Parliament Statutes Ordains and Enacts that the said Mr William Erſkine and theſe who ſhall joyn as Cōpartners with him for makeing Salt upon Salt in this Kingdom ſhall be a free and lawfull Incorporation with the benefite and priviledge of a Manufactory for makeing thereof as any other Manufactory in this Kingdom Provideing that this Act and grant import no farder exemption of forraign ſalt from Cuſtome Exciſe or other dues then was in uſe of before.

ACT in favours of the Magiſtrates of Edinburgh & Mr James Smith for bringing water into Burghs and other places needfull

OUR SOVERAIGN LORD conſidering that the 50
bringing in of water to the Places and Touns where water is ſcarce is a good publict deſigne and ought to be authorized and encouraged by Law Therefor His Majeſtie with advice and conſent of the Eſtates of Parliament allows the Magiſtrates and Toun Council of Edinburgh and their Succeſsors in office for the Toun of Edinburgh and the liberties thereof and Mr James Smith of Whitehill and his Copartners and aſsigneyes for the whole remanent Burghs and places within the Kingdom to bring in water to the said Toun Burghs and Places in ſuch Quantities as they ſhall think convenient (the Heritors in whoſe ground the ſprings are and Magiſtrats of the Burgh into which the water ſhall be brought giveing their conſent therto) and to diſpoſe of the said water in pipes ciſterns or canalls in Burgh and Countrey And to diſtribute the ſame amongſt the Inhabitants as they can beſt aggrie but prejudice allwayes of any water already brought in to any of the saids places And for the better encouragement of ſuch a good deſigne His Majeſtie with conſent

forſaid doth hereby authorize the Lords of Seſsion summarly to cognoſce at the inſtance of the saids Magiſtrats of Edinburgh for Edinburgh and of the said Mr James Smith and his forſaids for the other Burghs and Places of the Kingdom upon citation of the Parties concerned both on the conveniency of breaking ground for bringing in the said water and diſtributeing therof in manner forſaid and upon the damnages any perſon may ſuſtain therby and commodifie the ſame as they ſhall ſee cauſe As alſo to cognoſce upon what damnages the said undertakers ſhall ſuſtain from any perſon that ſhall interrupt the perfiteing of the said work or when finiſhed ſhall any wayes prejudge the ſame

Act in favors of Sir David Thoirs of Inuerkeithing Advocat

AT EDINBURGH the Twelfth day of October one thouſand ſix Hundred and nynety ſix years Anent the Supplicatione given in and preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Sir David Thoirs of Inuerkeithing humbly Shewing that the Petitioner not haveing taken the oath of alleadgeance to His preſent Sacred Majeſtie nor ſubſcrived the aſsurance befor the day appointed by Act of Parliament for doing therof was elapſed He hath upon that accompt ever ſince been debarred from the exerciſe of his employment as an Advocat and being now willing and ready to perform what by the forſaid Act of Parliament is appointed for qualifieing himſelf to exerce his imployment as formerly Therfor humbly craveing His Grace and Honourable Eſtates of Parliament to conſider the premiſses and to allow him to exerce his imployment as formerly upon his Swearing alleadgeance to his preſent Sacred Majeſtie and Subſcriveing the Aſsurance as the said Petition in itſelfe bears Which being upon the tenth day of October inſtant read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament they have granted and hereby grant the deſire therof The Petitioner qualifieing himſelf before Sir Coline Campbell of Aberuchill and Sir James Scougall two members of Parliament in manner and to the effect repreſented in the Petition And that betwixt and the Seventeenth inſtant By vertue of which deliverance of Parliament the Petitioner did this day in preſence of the ſaid Sir Coline Campbell of Aberruchill and Sir James Scougall two of the members of Parliament Swear and Signe the Alleadgeance to His Majeſtie and Signed the Aſsurance in the ſchedulls with the Advocats.

Recommendation in favors of James Bayne his Majesties late Master Wright

AT EDINBURGH the twelfth day of October one thouſand ſix hundred and ninety ſix years Anent the Petition given in and preſented unto his Majeſties High Commiſsioner and the Right Honourable Eſtates of Parliament by James Bayne His Majeſties late Maſter Wright humbly Shewing That when there was not money in the Theſaury to carry on the works of building His Majeſties Palace at Holyrudehouſe and reparations of the Caſtles of Edinburgh, Stirling and Baſs, for the perfeiting theſe works the Petitioner did not only raiſe thirty three thouſand pounds Scots out of the hands of the Earls of Panmure, Tweeddale and Strathmore, and ſeverall gentlemen and burgeſses but contracted upwards of twenty ſeven thouſand pounds money forſaid of debt for which he payes annualrent which now doubles the ſoume and more By all which and by his lying out of four thouſand fyve hundred pound ſterling owing him be the publick wherof two thouſand pound money forſaid and upwards is already adjuſted by the Lords of Theſaury he is reduced to very great miſery and has not wherewith to prevent ſtarving Upon the Petitioners application to his Majeſties High Commiſsioner and the Honourable Eſtates of Parliament the laſt ſeſsione he obtained ane act in his favours Recommending him to the Lords of Theſaury for a ſubſiſtance and to his Majeſtie that he might be graciouſly pleaſed to take ſome courſe for his payment but though he has frequently petitioned the Lords of Theſaurie and they pity his condition yet they declare that they have no fond wherewith they can ſupplie his wants only in July laſt they granted him a precept upon the Receiver for twenty fyve pounds ſterling and he has got no payment even of that litle ſum. The ſcarcity and dearth at this time being very great and the Petitioner being owing twenty ſeven thouſand pound of which ſum he owes ſome to widows and orphans who are therby reduced to beggarie he and they muſt periſh and ſtarve for want except that His Grace and the Eſtates of Parliament determine and appoint ſome fond whereby the Petitioner may be reimburſed of the ſums due to him be the Publict that he may have wherewith to ſatiſfie theſe poor and all other his Creditors whoſe clamours and outcryes againſt him cannot be but a great trouble to ane honeſt and ingenuous ſpirit. The Theſaury wanted money for carieing on the forementioned works and the Lords of Theſaury say they want money now to pay the Petitioner. The Publict may yet need ſome works to be perfected when there may be no money for accompliſhing them and except the Petitioners ruine be prevented none will hereafter be ſo fooliſh as to advance money or Contract debt for the Publict when they Conſider his miſerable Condition which is ſtill worſe and worſe The annualrents of the twenty ſeven thouſand pounds which he is owing haveing doubled the

ſum And ſome of his Creditors being in poſſeſſion of all his fortune for theſe very debts which he Contracted for carieing on and finiſhing the forementioned works and the People who truſted him things neceſsary for his ſubſiſtance being encouraged thereto by the Act of Parliament in his favors finding that he has got no payment thereby to ſatiffie them, haveing therefor fallen upon the Pleniſhing of his houſe and poynded the ſame And the diſcouraging perſons to do any thing for the well of the Kingdome except when readie money is given to them, may be of prejudiciall conſequence to the government And therefor humbly Craveing that His Grace and Honourable Eſtates of Parliament would take the Petitioners ſad and lementable condition to their serious Conſideration and in regaird to the Publict, the Credit of the Nation and Juſtice to the Petitioner appoint ſome fond for his being reimburſed of the four thouſand fyve hundred pound ſterling juſtly reſting to him be the Publict (wherof tuo thouſand pound money forſaid is already adjuſted) togither with the annualrents of the principall ſums ſince they became due that the honour of the Kingdom may be preſerved the Petitioners utter ruine and ſtarveing be prevented and all perſons may be encouraged to carry on publict works and advance money to the Compleating of them when they ſhall hear and ſee what juſtiee the Honourable Court of Parliament have done to the Petitioner as the said Petition bears Which being upon the eight day of October inſtant Read in plain Parliament in preſence of His Majeſties High Commiſsioner and Eſtates of Parliament They did Remitt the samine to the Committie for Security of the Kingdom And the said Committee for Security of the Kingdom haveing appointed the Lord Whytehill and William Meinzies late Baillie of Edinburgh two of the members of the said Committie to Reviſe the accompts of the ſaid James Bayne The ſaid ſubcommittie Gave in their Report upon the tenth day of October inſtant mentioning that accordingly they haveing Called before them the said James Bain and Seen Reviſed and Conſidered his ſaids accompts with the inſtructions p^of They find the whole articles Extending to the Principall Sum of twenty four thouſand and nyne pounds Scots inſtructed except the tenth article for workmanſhip to the Duke of Hamilton Extending to the ſoume of thirteen hundred seventy three pounds money forsaid Which article has no ſpeciall inſtruction produced and the forſaids accompts excepting as above are marked upon the margine by the Clerk to the Thesaurie as inſtructed And the ſaid James Bain Gives likewayes in ane compt of the annualrents of the prin^ll Soume since the particular dates of the accompts inſtructed extending to Twenty two thouſand six hundred and nynety nyne pounds ſixteen ſhilling money forſaid As alſo he produces ane abbreviat of Loſses and defaulcations at the palace of Holyrudehouſe the Caſtles of Edinburgh and Stirling and the Baſs from the thirteenth of March I^m vj^c^ and Seventy one years till the thirteenth of March I^m vj^c^ and eighty one Extending to the ſoume of Thirty one thouſand pounds money forſaid And in like manner he produces King Charles the Second his gift for being Maſter Plaſterer dated the seventeenth of January I^m vj^c^ and sixty one allowing him ane hundred pound money forſaid per annum current till the year I^m vj^c^ and eighty fyve which extends to two thouſand and four hundred pounds money forſaid As alſo that James Baine acknowledges that in King James his government he Received three hundred pound ſterling in part of Payment of the above accompts Likewayes he produces ane Precept from the Theſaury dated the twenty ſeventh of December I^m vj^c^ and eighty ſeven years upon the Receiver of his Majeſties rents for the ſoume of fyve hundred pund ſterling and ane other precept from the Theſaury for the ſum of twenty fyve pounds ſterling dated the thirty firſt of July I^m vj^c^ and nynety ſix Of which two Precepts he has got no payment but acknowledged that he has Received ane thouſand pounds ſcots money within theſe two years by paſt by precepts from the Lords of the Theſaury in part of payment of the above accompts as the said Report in it ſelf likewayes Bears Which was alſo Given and Preſented to His Majeſties High Commiſsioner and the ſaid Eſtates of Parliament Togither with ane o^r Repreſentation by the said James Bain humbly Shewing that the ſds Sir James Scougall and William Meinzies being appointed by the Committee for Security of the Kingdom to Conſider the ſaid James Bain his accompts They fand his Compt for twenty four thouſand and nyne pounds four ſhilling and four pennies is ſufficiently inſtructed and that the ārent of the ſoums in the ſaid accompt from the time they became due to October I^m vj^c^ and nynety ſix Extends to twenty two thouſand ſix hundred and nynety nyne pound ſixteen ſhilling And that they likewayes fand by ane other Compt given in by him to them of Loſses and defalcations &c. that the ſame Extends to thirty ane thouſand pounds And alſo fand that by His Majeſties gift to the Petitioner for maſter Plaſterer dated I^m vj^c^ and ſixty one allowing one hundred pound per year Which from the date to the year I^m vj^c^ and Eighty nyne Extends to the ſum of two thouſand eight hundred pounds Which four accompts abovementioned Extends in all to the Soume of Eighty thouſand fyve hundred and nyne pound The Petitioner likewayes Produced to them a precept for fyve hundred pounds ſterling granted to him by the Theſ^ry in December I^m vj^c^ and eighty ſeven and another precept for twenty fyve pound ſterling granted be the Theſaurie in July I^m vj^c^ and nynety ſix but he has not received one farding

of theſe two precepts all that he has received in part payment of the abovewritten ſoum of Eighty thouſand fyve hundred and nyne pounds is only three hundred pound ſterling in the late Government and one thouſand pounds ſcots ſince the year I^m vj^c^ and nynety And therefor humbly Craveing His Grace and their Lordſhips when a fond is appointed for the Petitioners payment to take to their Conſideration that he pays annuelrent for twenty ſeven thouſand pounds which he borrowed for Carieing on his Majeſties works and that it is but reaſonable and juſt that ärent be payed to him for the ſum at leaſt of twenty four thouſand and nyne pounds contained in his inſtructed and adjuſted accompt And if it be not, the Petitioner is undoubtedly ruined as the ſaid Repreſentation or Petition alſo bears Which together with the forſaid Report of the Subcommittie being this day read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Recommended and hereby Recommend the Petitioner for reparation of his Loſs and payment of the above debt to His Majeſties Bountie And in the mean time have Recommended & hereby Recommend to the Lords of His Majeſties Theſaury to give vacant ſtipends from time to time to the Petitioner for his ſubſiſtence

Protection in favors of Duncan Buchannan Wright

AT EDINBURGH the twelvth day of October one thouſand ſix hundred and nynety ſix years Anent the Petition given in and preſented unto His Grace His Majeſties High Commiſsioner and Honourable Eſtates of Parliament by Duncan Buchannan Wright humbly Shewing that the Petitioner out of zeal & affection to his Majeſties government did engage himſelf very early therin and not only at the trenches to the Caſtle of Edinburgh Killicrankie and Inuerlochie where the Petitioner was Head Wright did endanger his Life but by his mentainence of a conſiderable number of Wrights Smiths and others at Inuerlochie and the other gariſons belonging to his Majeſtie to the number of fyftie whereof he gave ten dollars to each before he could induce them to leave Edinburgh in ſuch a dangerous time, he has contracted vaſt debt for advanceing of theſe gariſons and thereby ruined himſelf and his poor familie and by the preſs of theſe Creditors is interrupted from manageing of any of his affairs whereof the Lords of the Theſaurie being ſenſible did draw a Precept upon the Receiver of his Majeſties Rents for the ſum of ſeven thouſand and odd merks in part of what was reſting to the Petitioner And albeit it be more then Eighteen moneths since the ſaid Precept was drawen yet he has not received one Sixpence And being obleidged by his Creditors to withdraw he did addreſs himſelf to His Majeſtie who out of the aſsurance he had of the good ſervice done by the Petitioner did write a Letter to the Lords of the Theſaurie in his favours which is in the hands of their Clerks And seing that the circumſtance of the Petitioners affairs does oblidge him to take Sanctuary in the Abbay and that there is a neceſsity for him to attend the Lords of his Majeſties Theſaury which without Protection his Creditors will not ſuffer him to do or appear to manage any other of his affairs And therfor Craveing His Grace and the Honourable Eſtates of Parliament to grant the Petitioner perſonall Protection untill he clear his accompts with the Lords of Theſaury and upon their Precept recover money from the Receivers as the ſaid Petition bears Which being read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby grant perſonall Protection for any civill cauſe or debt whatſomever to the Petitioner and the ſamine to endure untill the Petitioner get Payment of the Theſauries Precept.

Recommendation in favors of Livetennent Collonell Scipio Hill

AT EDINBURGH the twelvth day of October one thouſand ſix hundred and nynety ſix years Anent the Petition given in and Preſented to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament by Livetennant Collonell Scipio Hill Shewing that whereas the Lords of his Majeſties Privy Counſell by their act dated the twenty nynth of Auguſt I^m vj^c^ and nynety one did Recommend the Petitioner to the Lords of Theſaury for getting payment of ane moneths pay for refounding him of the extraordinary expenſes he was put to at the time His Majeſtie appointed the troups of horſe to be turned Dragouns and the Petitioner was made Captain of the troup belonging to Captain Bennet and the saids Lords of Theſaurie did by their precept upon James Melvill of Caſsingray order the samine to be payed out of the Hearth money as the said act & precept produced with the said Petition hes teſtified Neverthelefs there was never one ſix pence payed therof though others in the like circumſtances did receive actuall payment And it being hard that the Petitioner being ane ſtranger ſhould be ſtated in ane ſingular caſe Therefor humbly Craveing that His Grace and the Honourable Eſtates of Parliament would appoint the Petitioner to be ſatiffied and payed of the ſoume of one Hundred and Eighty fyve pounds nyne ſhilling and ten pennies ſterling being the ſoume contained in the Precept out of any other fond ſhall be thought fit that of the hearth money proveing ineffectuall as he ſd Petition bears Which being read in preſence of His Mäties High Commiſsioner and the Eſtates of Parliament and they haveing Conſidered the same they have Recommended and hereby Recommends the Petitioners Caſe to the King And if ſo be his Caſe falls under the Act of Parliament appointing arrears to be payed out of the Hearth money and

three moneths ceſs They have Recommended and hereby Recommends him to the Commiſsion for the Pole

Act and Recommendation in favours of the Burgh of Lanerk for building a Bridge over the river of Clyde

AT EDINBURGH the twelvth day of October one thouſand six hundred and nynety ſix years Anent the Petition given in and preſented to His Majeſties High Commiſsioner and the Right honourable the Eſtates of Parliament by the Baillies Dean of gild and remanent members of the Toun Councill of Lanerk humbly Shewing That where upon ane Petition given in be them to the Lords of His Majeſties Privy Counſell Craveing a voluntar Collection to be made within all the Paroches and at the reſpective Church doors of the severall Shyres and Burghs of the Kingdome to be employed for building of ane Bridge over the River of Clyde near the said Burgh Their Lordſhips by their act the ſixteenth day of May I^m^ vj^c^ and nynety five granted the Deſire of the said Petition and appointed ane factor for uplifting the ſamine to be employed to the end forsaid as the said act bears And seeing that the said Toun and factor forsaid have made ane very great progreſs towards the building of the said Bridge and layed to the place the hewen ſtones lyme & other materialls and neceſsars for the said work the charges and expenſs whereof will exceed all that is alreadie collected or can be expected by the saids Collections And that unleſs ane furder fond or supplie be had the said Toun will not be able to perfect or compleat the said bridge whereby ſo good a publict work will not be got effectuat and the Charges already expended will be loſt Therfor Craveing His Grace and the Honourable Eſtates of Parliament to conſider the premiſses and to Recommend to the Lords of His Majeſties Theſaury to Grant to the Petitioners ane gift of such ſtipends as are or ſhall be vacant for the time towards the building and compleating the ſaid Bridge upon their giveing security to be comptable for applying the ſame to the forsaid end to the saids Lords of Theſaury or any of them they ſhall appoint as the ſaid Petition bears Which being Read in preſence of and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament They have Granted and hereby Grants the Deſire therof and have Recommended and hereby Recommends the Petitioners to the Lords of the Theſaurie.

[Mr William Cheislie ag^t^ Paterson of Grantoun]

PETITION Mr William Cheeſly writer to the ſignet againſt Sir William Paterſon of Grantoun Craveing that the cauſe at the Petitioners inſtance ag^t^ the said Sir William may be Remitted to the Lords of Secret Councill, Read, and Sir William ordained to ſee and anſuer againſt the nixt ſeſsion of Parliament

Decreet of Suſpenſion in favours of Sir John Dempſter of Pitliver ag^t^ the Earle and Counteſs Douager of Seaforth

AT EDINBURGH the twelvth day of October I^m^ vj^c^ and nynety ſix years. Anent the Bill of Suſpenſion given in & preſented to His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament at the inſtance of Kenneth Earl and Iſsobell Counteſs Dowager of Seaforth againſt Sir John Dempſter of Pitliver Makeing mention That where the Complainers are charged denunced and under Caption at the inſtance of the said Sir John Dempſter of Pitliver be vertue of Letters of horning purchaſt and Raiſed at his inſtance againſt them for not Repetition and payment makeing to him of the ſum of seven thouſand four hundred sexty ſix pound with the annuelrent thereof ſince the term of Whitſunday I^m^ vj^c^ and Eighty Six and that as a part of the ſum of twenty thouſand merks ſcots money and annuelrent therof ſince the ſaid terme of Whitſunday I^m^ vj^c^ and eighty ſix years alleadged contained in a pretended bond alleadged made and granted be Sir Alexander Bruce of Broomhall the ſaid Charger and certain other perſons to wmq^t^ Sir Archbald Primroſe then Clerk Regiſter in liferent & Sir William Primroſe his ſon in fie and in a pretended aſsignation therof alleadged made and granted to Walter Earl of Tarras and in a gift of forfaulture of the said Walter Earl of Tarras made and granted by his late Majeſtie in favors of the said Kenneth Earl of Seafort and a Decreet of Declarator thereupon obtained at his inſtance as donator forsaid againſt the ſaid Walter Earl of Tarras and the ſaid Charger befor the Lords of Seſsion and in an aſsignation therof to the ſaid Counteſs dated the twenty second day of April I^m^ vj^c^ and Eighty fyve and in a pretended diſcharge alleadged granted by her as aſsigney conſtitute by the ſaid Kenneth Earl of Seafort to the forsaid gift of forfaulture with conſent of her said Cedent in favors of the Charger of the date the twenty ſixth day of July and eleventh day of Auguſt I^m^ vj^c^ and eighty ſeven years Regiſtrat in the books of Counſell & Seſsione upon the thirteenth day of November I^m^ vj^c^ and nynety one years And als for not payment makeing to the Charger of the ſum of three thouſand merks as two years and a halfs annualrent of the said prin^tt^ sum of twenty thouſand merks from the term of Martinmaſs I^m^ vj^c^ and eighty three to the term of Whitſunday I^m^ vj^c^ and eighty ſix years all contained in a Decreit of Parliament obtained at the Chargers inſtance againſt the Complainers upon the twelvth day of July I^m^ vj^c^ and nynety fyve years which ought to be ſuſpended Considering it is of verity that the Complainers are not only decerned for the forſaid ſum charged for to the charger but alſo for the ſum of fyve thouſand eight hundred Sixty ſeven pounds ſix ſhilling eight pennies to Gideon Scot of Heycheſter and his Tutors & Curators as has appeared to His Grace and Honourable Eſtates of Parliament by a double

of the forsaid decreit of Parliament produced with the ſaid bill and which decreit of Parliament proceeded ſummarly without takeing in our defences which are the reaſons lybelled in a reduction of the ſame intented and depending before the Parliament viz. That though twenty thouſand merks be lybelled and decerned yet there was only fyfteen thouſand merks received as hes appeared by a declaration under the Chargers hand produced with the ſaid bill Secundo even as to the ſd fyfeteen thouſand merks the said Counteſs could not be lyable becauſe the aſsignation in her perſon to the gift was only in truſt for the behoove of the said Earl of Seafort donator And therfor she did only warrand the Diſcharge from fact and deed and the Earl was bound in abſolute warrandice and that ſhe was no farder concerned then as a truſtee And the Charger by his forſaid declaration and backbond reſtricts even the abſolute warrandice granted by the ſaid Earl to the forſd ſum of fyfeteen thouſand merks which was the only ſum payed in money and otherwayes and the said ſum of fyve thouſand Eight hundred and ſixty ſeven pound ſix ſhilling and eight pennies Decerned to be payed to Heycheſter being deduced therfrae there only remains four thouſand one hundreth and thirty two pounds thirteen ſhilling and four pennies and even that ſum ought only to bear ãrent after the decreit reponing Heycheſter againſt the ſaid forfaulture Tertio as to the three thouſand merks charged for the ſame was neither received by the Counteſs as aſsigney nor her ſon as donator as has appeared by the forſaid declaration but was only Diſcharged gratuitouſly so there is no foundation of repetition of that which was not received: And though the Charger was decerned to pay the ſame to the ſaid Gideon Scot of Heycheſter the Earl of Tarras his son yet it was upon this ſpeciall ground that theſe ãrents had not been payed by the Charger neither to the Earl of Tarras his Creditor nor to the said Earl of Seafort nor to the said Counteſs who was donator and aſsigney as has appeared by the Decreit at Heycheſters inſtance ag^{t} the charger related in the forſaid Decreit charged upon Quarto The said Counteſs only received from the charger as a part of the said prin^{ll} sum of fyfteen thouſand merks and ãrents therof agreed for conform to his ſd backbond ane aſsignation be the Charger to her of the ſum of Seven thouſand merks of prin^{ll} and ãrents therof due to him by the Earl of Mar as hes appeared by the forſaid Decreit charged upon So that all she can be oblidged is only to Retroceſs & Repone the charger in his own place of the ſaid debt due by the Earl of Mar she never haveing received a Six pence therof and the prin^{ll} Diſpoſition produced with the said Petition ſtill remaining in the ſaid Counteſs her hands and ſhe was inſtantly content to retroceſs him thereto and which he cannot refuſe ſhe being only made lyable by a ſupervenient Law which was not in view to her nor to him the time of the Tranſaction And by the forſaid Declaration and backbond produced with the ſaid bill it may be obvious to the Honourable Eſtates of Parliament That the forſaid debt was not only diſcovered by the Charger but lykewayes carried on by him of purpoſe to get an eaſe and abatement therof which he accordingly did And ſince by a ſupervenient Law the Complainer is oblidged to repeat what ſhe was only truſtie to for her ſons behove so much more ought the Charger to make payment to Heycheſter of the eaſe and abatement he got albeit the ſame were not ſo ſpecifically Qualified and Reſtricted by his backbond and proven that it was carried on and diſcovered by himſelf as ſaid is Quinto The ſums charged are arrieſted in the Complainers hands at the inſtance of William Montgomery writer in Edinburgh John Ormiſtoun merchant there and George Lockhart of Carnwath for greater ſums then will be found to be due by the Complainers as has appeared by the Copies of arrieſtment produced with the ſaid bill under the hand of George Graham meſ^{r} and there are furthcomings raiſed and depending againſt the Complainers by which they are ſubject to double diſtreſs And therfore the Preference ought to be determined before the Complainer can ſafely make payment of what may be found to be truely due In reſpect whereof the forsaid Letters and charge are null and ought to be ſuſpended alwayes for the more abundance the Complainers were content to find Caut
And Therfor humbly Craveing that his Maje
High Commiſsioner and Honourable Eſtates of Parliament would grant Letters to Summond the ſaid Sir John Dempſter charger to Compear before them Bringing with him and produceing the forſaid Letters and Charges to be ſeen by them and to hear and ſee the ſame ſuſpended and the Complainers Relaxed and to ſuſpend Relax diſcharge and ſet at liberty in comuni forma as the ſaid bill of ſuſpenſion in it ſelf bears And als anent the Summonds and Action of Reduction intented and purſued before his Majeſties High Commiſsioner and the Eſtates of Parliament at the inſtance of the said Kenneth Earl and Iſsobell Counteſs Dowadger of Seaforth to whoſe great hurt enorme leſion and prejudice the pretended Decreit above and aftermentioned is alleadged given furth and pronunced and ſua haveing good and undoubted right and intereſt & title to proſecute follow furth and purſue the action of Reduction therof under written againſt the said Sir John Dempſter of Pitliver touching the said Sir John Dempſter his Compearing before His Majeſties High Commiſsioner and the Eſtates of Parliament at ane certain day bygone bringing with him exhibiting and produceing befor His Majeſties High Commiſsioner and the Eſtates of Parliament the pretended Decreit of Parliament alleadged obtained by him

againſt the saids Pursuers upon the twelvth day of July I^m vj^c^ & nynety fyve years whereby for the cauſes therein ſpecified the saids Purſuers are decerned and ordained to make payment to the said Sir John Dempſter of Pitliver of the ſoume of Seven thouſand four hundred and ſeventy ſix pounds and that as a part of the ſoume of Twenty thouſand merks money and ärent therof ſince the ſaid term of Whitſunday I^m vj^c^ and Eighty ſix years alleadged contained in ane pretended Bond made and granted by Sir Alexander Bruce of Broomhall the said Sir John Dempſter and certaine other perſons to wmq^h^ Sir Archbald Primroſe then Clerk of Regiſter in liferent and Sir William Primroſe his ſon in fie and ane pretended aſsignation therof allegit made and granted to Walter Earl of Tarras and in ane gift of forfaulture of the said Earl of Tarras made and granted by his late Majeſtie in favors of the said Kenneth Earl of Seaforth and ane decreit of Declarator therupon obtained at the said Kenneth Earl of Seaforth his inſtance as donator forſaid againſt the ſaid Walter Earl of Tarras and the said Sir John Dempſter of Pitliver befor the Lords of Counſell and Seſsion and in ane aſsignation therof to the ſaid Counteſs dowager of Seaforth dated the twenty second day of Aprile I^m vj^c^ and Eighty fyve years and in ane pretended diſcharge alleadged granted by the ſaid Counteſs as aſsigney conſtitute by the said Kenneth Earl of Seaforth to the said gift of forfalture with his conſent in favors of the said Sir John Dempſter of the date the twenty ſixth day of July and eleventh day of Auguſt I^m vj^c^ and Eighty seven years Regiſtrat in the books of Counſell and Seſsion upon the thirteenth day of November I^m vj^c^ and nynety one years and als the saids Pursuers are thereby Decerned and Ordained to make payment to the said Sir John Dempſter Defender of the ſum of three thouſand merks as the ärents of the said twenty thouſand merks from the term of Martinmaſs I^m vj^c^ and eighty three years to the term of Whitſunday I^m vj^c^ and eighty ſix years with the grounds and warrands wherupon the ſaid Decreit of Parliament proceeded of the dates tenors and contents abovementioned or of whatſomever dates tenors and contents the samine be to be ſeen and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament and to hear and ſee the samine and all following or competent to follow thereupon Reduced Retreited Reſcinded Caſsed Annulled Decerned and Declared to have been from the beginning to be now and in all time comeing null and of none availl force ſtrength nor effect and to make no faith in judgement or outwith the ſamine in all time comeing and to hear and ſee the saids Purſuers reſtored in integrum theragainſt for the reaſons and cauſes particularly abovementioned And therfor the forſaid Decreit of Parliament haill grounds and warrands therof wherupon the same proceeded and all that has followed therupon ought and ſhould be Reduced Retreated Reſcinded Caſsed Annulled Decerned & Declared to have been from the beginning to be now and in all time comeing null and of no availl force ſtrength nor effect and declared to make no faith in judgement or outwith the same in time comeing and the Purſuers ought to be Reponed and Reſtored in integrum thereagainſt for the reaſons and cauſes forsaids as the said Bill of Suſpenſion and Summonds of Reduction the Reaſons q^r^of are coincident as said is more fully bears Which Bill of Suſpenſion being upon the twenty fourth day of September laſt bypaſt read in audience of His Majeſties High Commiſsioner and Eſtates of Parliament They ordained the Charger to anſwer therto and he haveing accordingly gotten up the same and returned it and gave in the Decreit charged upon. And this day the said action and cauſe being called in preſence of His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament at which time the saids Kenneth Earl and Iſsobell Counteſs of Seaforth preſenters of the said Bill of Suſpenſion and pursuers of the said action of Reduction Compeiring by Mr David Cuninghame Advocat their Prör who for inſtructing of the forsaids Reaſons of Suſpenſion & Reduction produced in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament the Extract of a Backband granted by the said Sir John Dempſter charger therin deſigned Mr John Dempſter of Pitliver narrateing That forſuameikle as the said Earl and Counteſs of Seaforth by their diſcharge of the date at Fortroſe and London the twenty sixth day of July and eleventh day of Auguſt I^m vj^c^ and Eighty ſeven years had diſcharged him and remanent perſons therin ſpëit of all and haill the ſaid prin^tt^ ſoume of twenty thouſand merks with the haill bygone ärents therof and liquidat Expenſes contained in a bond granted by the deceiſt Henry Lord Cardroſs Sir Henry Bruce of Clackmannan & Sir Alexander Bruce of Broomhall and the ſaid Sir John Dempſter of Pitliver coñlie and ſeällie to the ſaid wmq^h^ Sir Archbald Primroſe Lord Clerk Regiſter in liferent and Sir William Primroſe of Caringtoun in fie therupon dated the twenty two and twenty fourth dayes of June I^m vj^c^ & ſeventy two years regrat in the Books of Counſell and Seſsion upon the ſixteenth day of March I^m vj^c^ and eighty years and in ane Aſsignation therof granted by the said Sir William Primroſe to the ſaid deceiſt Walter Earl of Tarras of the date the twenty fyfth day of May I^m vj^c^ and eighty two years And which ſoumes had fallen in his Majeſties hands by the forfaulture of the ſaid Earl of Tarras and were gifted aſsigned and diſponed by his late Majeſtie to the ſaid Earl of Seaforth conform to his Letter of gift under the Privy Seal dated the twenty eight day of December I^m vj^c^ and Eighty

fyve years and which gift decreit of declarator & others following therupon were aſsigned by the said Earl in favors of the said Counteſs of Seaforth his mother by his aſsignatione dated the nynteenth day of June I^{m} vj^{c} and Eighty ſix in manner at length ſpëit in the said Diſcharge And that the ſame Diſcharge bears recept of the haill prin^{ll} soume ãrents therof bygone and abſolute Warrandice of the ſaid Right and of the ſaid haill ſoumes therin contained Yet he declares the truth was that there was only payed be him the ſaid Sir John Dempſter to the said noble Earl for the said Gift the ſoume of fyfeteen thouſand merks with ãrent therof from the term of Whitſunday I^{m} vj^{c} and eighty ſix years and which he thereby acknowledges and confeſses and that the Earl had granted that favour to him on account of the like favour and abatement given be the ſaid Sir John to the ſaid Earl in another tranſaction and for certain other good reſpects and conſiderations And alſo in regaird that the ſaid Sir John was to bear the Expenſ^{ll} of diſcuſsing a ſuſpenſion againſt the ſaid Earl of Tarras Therfor the ſaid Sir John reſtricted the forſaid abſolut warrandice contained in the forſaid Diſcharge to the ſaid ſoum of fyfeteen thouſand merks and ãrents therof ſince the ſaid term of Whitſunday I^{m} vj^{c} and eighty ſix years and to the Expenſ^{ll} of diſcuſseing the said ſuſpenſion allennarly declaring that the said clauſe of abſolute warrandice of the haill ſoumes in caſe of eviction ſhould only be effectuall againſt the Earl and his forſds in ſua far only as concerned the ſaid fifeteen thouſand merks and ãrents therof and Expenſ^{ll} forſaids And thereby he binds and oblidges him to warrand free and relieve the ſaid Earl of Seaforth of all perill danger and expenſ^{ll} which he or they ſhould happen to ſuſtain or incurr be or throw the granting of the said abſolute warrandice in ſua far as concerns his part of the sds ſoumes over and above more then the ſaid ſoume of fyfeteen thouſand merks and ãrents therof ſince the ſaid term of Whitſunday I^{m} vj^{c} and eighty ſix years and expenſ^{ll} to be wared out be him in diſcuſsing of the ſaid ſuſpenſion and Extracting of the ſaid Decreit of forſaulture To which ſoumes the ſaid warrandice is thereby reſtricted in manner forſaid Which backbond is dated at Edinburgh the ſixth day of September I^{m} vj^{c} and eighty ſeven years and is Reg^{r}at in the Books of Counſell and Seſsion the ſixth day of Auguſt I^{m} vj^{c} and nynety ſix years As alſo produced ane miſsive Letter under the hand of the said Sir John Dempſter direct to Mr Alexander McKenzie writer to the Signet dated at Pitliver the twenty ſixth of April I^{m} vj^{c} and Eighty ſeven whereby he deſires to know if he had prepared the Diſcharge to be ſent to the Earl he did not doubt but that he would make it grant Receipt at Whitſunday I^{m} vj^{c} and Eighty ſix notwithſtanding of the date which in ſome meaſure is true and that it will mention the penalty als weel as other things He intreats him to send it away with all haſte and rely no longer on him as to the Biſhop except only the fourteen hundred and twelve merks for he was not able to ſatiſfie otherwayes then by Marrs money without very long terms and a conſiderable eaſe And therefor deſires him to give over thoughts of it and let him know his thoughts by the Bearer and how ſoon he ſhould have his fourteen hundred merks ready that he would have occaſion of writing every day there and there ſhould be nothing more acceptable to him then to hear how he was and what news he thought fit to write and prayed him to do it as he would oblidge him And the said Sir John Dempſter Charger in the action of ſuſpenſion & Defendar in the forſaid action of Reduction Compearing perſonally with Sir Patrick Home and Sir David Thoirs Advocats his Prõrs who for inſtructing the grounds of the forſaid Charge at his inſtance againſt the Earl and Counteſs of Seaforth and for ſatiſfieing the production in the forſaid action of Reduction Produced alſo in preſence of His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament ane Decreit of Parliament obtained at the inſtance of the ſaid Sir John Dempſter againſt the said Earl and Counteſs of Seaforth Decerning and ordaining not only the ſaid Kenneth Earl of Seaforth but alſo the said Iſsobell Counteſs Dowager of Seaforth his mother & aſsigney and who by the diſcharge forſaid granted the Recept of the ſums above and therin mentioned to make payment to the said Sir John Dempſter of Pitliver of the ſaid ſoum of ſeven thouſand four hundred and ſixty ſix pounds as a pairt of the ſaid ſoum of twenty thouſand merks and ãrents therof forſaids payed by the ſaid Sir John Dempſter to the ſaid Counteſs dowager of Seaforth and which was not ſuſtained to the ſaid Sir John as payment in the terms of the late Act of Parliament in favors of the ſaid deceiſt Walter Earl of Tarras And sicklike decerning and ordaining both the said Kenneth Earl of Seaforth and Iſsobell Counteſs Dowager of Seaforth his mother to make payment to the said Sir John Dempſter of Pitliver of the ordinary ãrent of the ſaid ſoum of Seven thouſand four hundred and ſixty ſix pounds money forſaid of all years & terms bygone ſince the feaſt and term of Whitſunday I^{m} vj^{c} and Eighty ſix years and yearly and termly in time comeing dureing the not payment of the ſaid soume And in like manner decerning and ordaining the ſaid Earl and Counteſs of Seaforth to make payment to the said Sir John Dempſter of the ſaid ſum of three thouſand merks as two years and a halfs ãrent of the ſaid prin^{ll} ſoume of twenty thouſand merks from the term of Martinmaſs I^{m} vj^{c} and Eighty three years to the ſaid term of Whitſunday I^{m} vj^{c} & Eighty ſix years which the Counteſs with conſent of the Earl had formerly diſcharged the ſaid Sir John of and which was not ſuſtained to him as

payment in the former Decreit of Parliament at the inſtance of the ſaid Gideon Scott of Heychester againſt the ſd Sir John Dempſter Which Decreit of Parliament in foro is dated the twelvth day of July I^m vj^c^ and nynety fyve years Thereafter the ſaid Mr David Cuningham advocat pro^r^ for the ſaid Earl and Counteſs of Seaforth Reſumed the Bill of Suſpenſion and Summonds of Reduction of the Decreit charged upon alleadgeing that the ſame proceeded ſummarly without takeing in the Earl & Counteſs p^r^ defences and inſiſted upon and repeated the grounds and reaſons following for Suſpending and Reduceing of the ſaid Decreit viz. Primo That the donator being only lyable by a ſupervenient Law and bound in abſolute warrandice which is Quod debitum ſubeſt et nomen debitoris both which are clear the debt being acknowledged by Sir John Dempſter and that the Earl had right as appeared by his gift And though that right be now taken away by the ſupervenient Law that can furniſh no recourſe againſt the Earl nor the Counteſs who cannot be bound in warrandice of future Lawes made by the Repreſentatives of the Nation to which every perſon is preſumed to conſent And specially Sir John Dempſter a member of Parliament and ſo cannot crave warrandice againſt the Earl upon the account of a ſupervenient Law conſented to and framed by him Secundo If any action were competent againſt the Earl or Counteſs at Sir John Dempſters inſtance it could only be for the ſoumes received But ſo it is that though there be twenty thouſand merks of prin^ll^ lybelled to have been payed by Sir John Dempſter to the Earl of Seaforth as donator to the Earl of Tarras eſcheit and to the Counteſs as aſsigney to the donator and accordingly decerned to be repeated yet the truth is there was only fyfeteen thouſand merks received as evidently appears by ane Backbond and declaration granted by the charger relative to the diſcharge given by the Earl and Counteſs to him which Backbond is now produced and deſired to be read in plain Parliament whereby the ſaid Sir John Dempſter acknowledges that though the diſcharge bear Recept of the whole twenty thouſand merks and reſting ärents yet there was only fyfeteen thouſand merks payed and to which ſoume the ſaid Sir John Dempſter reſtricts the abſolute warrandice in caſe of Eviction and is oblieſt to warrand and relieve the Earl and Counteſs of the remainder of the ſoumes in the caſe of eviction forſaid And beſides the ſoumes charged for at Sir John Dempſters inſtance the Earl and Counteſs are alſo decerned for payment to Gideon Scot of Heychester the Earl of Tarras his ſon of the ſoume of fyve thouſand eight hundred & ſixty ſeven pounds ſix ſhilling eight pennies money forſaid (q^ch^ was ſuſtained as payment made by Sir John Dempſter in ſpecie conform to the decreit at Heychesters inſtance) as ane part of the ſaid twenty thouſand merks which ſoume payable to Heychester being deduced of the fyfteen thouſand merks there remains only four thouſand one hundred & thirty two pounds thirteen ſhilling four pennies which ſoume can only bear ärent after the decreit reponeing Heychester againſt the forfaulture Tertio Even as to the fyfeteen thouſand merks the ſaid Counteſs being only truſtee and aſsigney and haveing received none of the money as appears by Sir John Dempſters declaration and being only bound to warrandice from her fact and deed can be nowayes lyable seing there is no fact nor deed of hers alleadged derogatory to her diſcharge Quarto there is no foundation at all for the three thouſand merks becauſe it is not pretended that the ſame was payed by Sir John Dempſter but the contrare seems to be clear by a miſsive Letter produced under the said Sir John Dempſter his hand direct to Mr Alexander M^c^Kenzie the Earls writer dated the Sixteenth day of Aprile I^m^ vj^c^ & Eighty ſeven years whereby Sir John deſires him to cauſe the diſcharge bear the Recept at Whitſunday I^m^ vj^c^ and eighty ſix notwithſtanding of the date which Letter is deſired to be read and the reaſon of the decreit againſt him at Heychesters inſtance for that ſoume bears expreſsly Becauſe he had neither payed the ſame to the Earl of Tarras Heychesters father and Creditor in the Bond nor to the Earl of Seaforth donator Quinto the said Counteſs only received from the Charger as a part of the ſaid prin^ll^ ſoume of fyfeteen thouſand merks and ärents thereof agreed for conform to his Backbond ane aſsignation by the charger to the ſaid Counteſs of the ſoume of seven thouſand merks of prin^ll^ and ärents therof due to the said Charger by the Earl of Mar as appears by the forſaid decreit charged upon so that all the said Counteſs can be oblidged is only to retroceſs and repone the charger to his own place of the ſaid debt due by the Earl of Mar ſhe never haveing received a Six pence therof and the prin^ll^ Diſpoſition produced ſtill remains in her hands And the Counteſs is inſtantly content to Retroceſs him thereto and which he cannot refuſe ſhe being only made lyable by a ſupervenient Law which was not in view to him nor to her the time of the tranſaction And by the forſaid declaration and Backbond produced it may be obvious to the Honourable Eſtates of Parliament that the forſaid debt was not only diſcovered by the charger but likewayes carried on by him of purpoſe to get ane eaſe and abatement thereof which he accordingly did which appears not only fra the forſaid Backbond & declaration but alſo from the forſaid miſsive Letter from the said Sir John Dempſter to the ſaid Mr Alexander M^c^Kenzie the Earl of Seaforths writer Sexto the ſoums charged for are arrieſted at the inſtance of Sir John Dempſters Creditors viz. John Ormieſtoun merchant William Montgomery writer and George Lockhart of Carnwath whoſe preferences muſt be diſcuſt before payment can be ſafely made To which it was anſwered by the said

Sir Patrick Home and Sir David Thoirs Advocats prõrs forſaids for the ſaid Sir John Dempſter Charger that they opponed the Decreit of Parliament in foro after a full and contentious debate In which all that is now alleadged is expreſsly proponed and repelled and albeit he needs to ſay no more but to oppone the decreit yet to ſatiſfie the Parliament and to ſhow how abſolutely groundleſs the Reaſons of Suſpenſion and Reduction are he makes theſe particular anſwers Primõ It was moſt abſurd and ridiculous to alleadge that the Earl and Counteſs could not be lyable for repetition becauſe the tranſaction betwixt the Earl and Pitliver was reduced by a ſupervenient Law seing the ground of repetition was founded upon the generall Act anent fynes and forfaultures and the Earl of Tarras his speciall Act reduceing his forfaulture and reſtoreing him per modum Juſticiæ the tranſaction betwixt the Earl and Pitliver being reduced in conſequence And as Pitliver was found lyable to Heycheſter for ſo much of that ſoume as was not payed to the donator in money or Bonds so by the ſame decreit the Earl of Seaforth was found lyable to Refound to Pitliver that ſoume And by the ſubſequent decreit the Counteſs who received the money and effects was likewayes moſt juſtly Decerned to Refound the ſamine to Pitliver Secundo As to the pretended declaration granted by Pitliver reſtricting the abſolute warrandice of the Diſcharge to fyfeteen thouſand merks that was repelled upon theſe grounds following and it was not relevant to hinder Repetition of the seven thouſand four hundred and ſixty ſix merks and ärents therof for Firſt That was already determined by Heycheſters decreit againſt the Earl of Seaforth and Pitliver and that which was craved by the said action againſt the Counteſs was that the ſaid decreit might be extended againſt her for Refounding the ſoume als weel as the Earle seing the Counteſs was aſsigned by the Earl as donator to the forfaulture and grants the diſcharge joyntly w^t the Earl and ſo falls directly under both the generall Act anent fynes and forfaultures and the Earl of Tarras his ſpeciall Act Secundo the tranſaction betwixt Pitliver the Counteſs and the Earl of Seaforth being reduced at the forfeit perſons inſtance the said Declaration was a part of the tranſaction which being taken away by the ſaid decreit at Heycheſters inſtance all muſt fall in conſequence And the Earl and Counteſs has gotten ſoumes and effects from Pitliver far exceeding the ſaid ſoume of twenty thouſand merks and ärents therof for not only by the diſcharge they grant the recept of the prin^ll ſoume of Twenty thouſand merks and the ärents But likewayes it appears by Pitlivers oath taken in the proces that after calculation made of the ſoumes payed and made over the haill twenty thouſand merks prin^ll and ärents were payed and above ſeven thouſand merks more for which Pitliver had nothing at all Tertio Pitlivers declaration expreſsly bears That albeit he granted the favour to Reſtrict the warrandice to fyfeteen thouſand merks yet it was upon the accompt of the like favour and abatement given by Pitliver to the Earl in ane other tranſaction which does exactly aggree with Pitlivers oath which explaines what that favour and abatement was that he gave to the Earl viz. The quiting of above fyfeteen thouſand merks of the ſoumes in the apprifeing which he had upon the Eſtate of Seaforth which did not only make up the whole ſoume of Twenty thouſand merks and ärents therof but above seven thouſand merks more for which Pitliver had not a farthing of allowance so that ſeing the declaration bears that Pitliver had granted the like favour and abatement to the Earl which did ballance and was more then equivalent to the reſt of the ſoume which was over and above the fyfeteen thouſand merks to which the warrandice of the diſcharge was reſtricted the Declaration muſt be taken as it ſtands and it cannot be divyded and therfor neither the Earl nor the Counteſs could crave any deduction of the ſoume upon the accompt of the said Declaration And it is ridiculous to pretend that the ſoume charged for ſhould not bear ärent till after Heycheſters decreit seing Sir John Dempſter is Decerned for annualrent and hath accordingly repeated or at leaſt given Security therfor in the terms of his Decreit wherin the Earl was alſo Compearing and Decerned accordingly And as to the third reaſon of Suſpenſion and Reduction founded on by the ſuſpendars Anſuers That albeit the diſcharge granted by the Counteſs bears only warrandice from fact and deed yet seing the diſcharge bears that ſhe received the money and effects ſhe was moſt juſtly found lyable to Pitliver for the samine As alſo it is very well known that the right of the whole eſtate of Seaforth ſtands in the Counteſs perſon by expired apprifeings so that a Decreit againſt the Earl would have been of very little effect unleſs the Counteſs had been likewayes Decerned for the ſoume Quarto as to the three thouſand merks as two years and ane halfs ärent of the twenty thouſand merks from Martinmaſs I^co vj^c- and eighty three to Whitſunday I^co vj^c and eighty ſix the Counteſs was moſt juſtly found lyable becauſe ſhe did not only diſcharge the prin^ll Soume but all the bygone ärents reſting owing unpayed which did comprehend the said two years and ane halfs ärent als well as theſe ſubſequent to Whitſunday I^co vj^c- and eighty ſix And Pitliver being found lyable by the decreit at Heycheſters inſtance for the said two years and a halfs ärent By the ſame reaſon the Earl and the Counteſs ought to Repay and Refound the ſoume to him eſpecially ſeing by the ſoumes payed and effects made over to the Counteſs by aſsigneing of the Earl of Mars money and diſponeing the apprifeing of the Earl of Seaforths eſtate as appears by the calculation contained in Pitlivers oath there is als

much as payes both the prin^{ll} ſoume and all the ãrents and above ſeven thouſand merks more as ſaid is And as to the pretended Letter direct to Mr Alexander McKenzie the ſame ſayes nothing to the purpoſe Quinto As to that pretence that the Counteſs received ane aſsignation to the Earl of Mars money in part of payment of the ſoume and that ſhe was content to repone Pitliver as to that right it was repelled for this reaſon that it was abſolutely impracticable to repone Pitliver in his own place as to that ſoume seing ſhe can not now put Pitliver in his own place that he was into when he granted the aſsignation to that debt For the Earl of Mar and his Cautioners granters of the Bond were then alive and if diligence had been then uſed the money might have been recovered Whereas the Earl of Mar and his Cau^{rs} being ſeverall years ſince deceiſed there is none now to repreſent them & Pitliver could not accept of that Security in part of the ſoum dûe to him neither was it ſo appointed by the decreit obtained at Heycheſters inſtance againſt the Earl and Pitliver by which as Pitliver was ordained to make payment of the forſaid ſoume to Heycheſter so the Earl of Seaforth was ordained to refound and pay back the ſamine to Pitliver And seing the tranſaction was Reduced at the inſtance of Heycheſter notwithſtanding of all that Pitliver could alleadge and all that followed on that tranſaction and both the Earl and Pitliver ordained to pay back the ſoume that decreit muſt be the rule and upon that ground the Parliament did moſt juſtly Decern the Counteſs who granted the Diſcharge to Pitliver to Refound the forsaid ſoume of seven thouſand four hundred and ſixty ſix pounds and the ãrent therof fra Whitſunday I^{m} vj^{c} and eighty ſix and the three thouſand merks as the two years and a halfs ãrent preceeding And whereas its pretended that the charger made diſcovery and informed the Earl of the debt and importuned him to take the gift the alleadgeance is abſolutely falſe as is clear from Pitlivers oath wherin he declares that he did not commune or correſpond with the Earl of Seaforth or any other perſon before the Earl obtained the gift except that the deceiſt Mr Alexander McKenzie came to him one time upon the ſtreet and deſired to know if he had any thing to do with the Earl of Tarras and Pitliver haveing enquired at him why he aſked the Queſtion and M^{r} McKenzie anſwered Becauſe he found him Regrat at the Horne at the Earl of Tarras inſtance for twenty thouſand merks and aſked if the money was yet Reſting or if it was payed To which Pitliver anſwered that the ſoume was not then payed and ſo paſt away without any more nor does the Letter founded on import one ſyllab to the contrare by which the Parliament may ſee how abſolutely groundleſs and calumnious the Earl and Counteſs pretences are which they now make uſe of againſt the ſaid Decreit Sexto as to the arrieſtments It is anſwered that they were only impetrat by the Counteſs and her doers of purpoſe to be a pretence to keep the money in her hand But that can be no ground to ſuſpend the Decreit For Pitliver is content to make this fair offer That the Counteſs configne the money in the Clerks hands that it be divided amongſt the Creditors according to their reſpective intereſts and preference And therfor seing there is nothing now alleadged in the Reaſons of ſuſpenſion but what was formerly under the conſideration of the Parliament and expreſsly proponed and Repelled Pitliver humbly Conceives that the Parliament will not Reduce or ſuſpend their own Decreit ſuper iiſdem deductis Whereunto it was Replyed by the Suſpendars Procurator abovenamed that the Reaſons ſtood good notwithſtanding of the Anſwers And as to the Decreit the Counteſs Repreſented her caſe by bill reſumeing her alleadgeances but without anſwering the bill Conſidering or determining the Relevancy of the alleadgeances the Parliament being taken up with weightier affairs gave Decreit at Pitlivers inſtance againſt the Earl and Counteſs as they had done at Heycheſters inſtance againſt Pitliver And beſides the Counteſs was not then Maſter of the Declaratione and however ſince it is plain and obvious under Sir John his hand that he only payed fyfeteen thouſand merks in money and tranſaction, there is no decreit can juſtifie this repetition of more than he gave Whereas it is alleadged that he got the eaſe of fyve thouſand merks upon accompt he had done the like favor to the Earl of Seaforth formerly in another tranſaction It is Replyed if any ſuch favor was the same was three full years before the tranſaction anent this money And the Earle of Seaforth was gratefull in Reſenting and Rewarding yof by forgiveing fyve thouſand merks of the ſtock and three thouſand merks of ãrents But seing that gratitude has proven ineffectuall by ane ſupervenient Law where Sir John Dempſter was one of the Legislators it is ungrate in him to turn that favour and gratitude into a debt But this Declaration is fully generous and very clear in the poynt for in the obligatory part therof he reſtricts the abſolute Warrandice of the diſcharge to the ſoume of fyfeteen thouſand merks only received Declareing that the ſaid clauſe of abſolute Warrandice of the haill ſoums in caſe of Eviction ſhall only be effectuall againſt the Earl and his forsaids in so far as concerns the fyfeteen thouſand merks and as to that ſoume the ſame is fully ſatiſfied by the decreit at Heycheſters inſtance againſt the Earl for the forsaid fyve thouſand eight hundred ſixty seven pounds ſix ſhilling eight pennies and by reponeing Sir John Dempſter to the ſoume of ſeven thouſand merks due by the Earl of Mar And whereas it is allẽit That the Earl and Counteſs haveing diſcharged the three thouſand merks of bygone ãrents and the Diſcharge being ineffectuall they ought to be lyable

in Repetitione It is Replyed that the alleadgeance is scandalous and unjuſt For seeing Sir John Dempſter had neither payed the ſame to the Creditor nor donator he has no prejudice to pay the ſame now to the Creditors repreſentative and it is unjuſt to pretend that a gratuitous Diſcharge ſhould be obtruded as a ground of Repetition But the diſcharge is only proven ineffectuall by a ſupervenient Law And as to the arrieſtments if the ſame be impetrat by the Earl and Counteſs which is denyed they will be the eaſier looſed by Sir John Dempſter but being legall ſtops of payment they are juſt grounds of ſuſpenſion To which it was Duplyed by the Chargers Prörs abovenamed that they opponed his Decreit of Parliament which as said is ſufficiently elides and cancells all that is pretended or alleadged for the Earl or Counteſs either in their Reaſons or Replyes in so far as Primo Whereas it is alleadged againſt the decreit that the Counteſs haveing repreſented her caſe by bill Reſumeing her alleadgences and that without anſwering the bill conſidering or determining the relevancie of the alleadgeances the Parliament gave their decreit at Pitlivers inſtance againſt the Earl and Counteſs It is duplyed That the alleadgeance is moſt falſe and calumnious and the decreit is opponed bearing a moſt full and contentious debate conſiſting of defenſes replyes duplyes triplyes quadruplyes and quintuplyes befor the Committies to whom the cauſe was by the Parliament Remitted with the Report of the Committie togither with ane very long and articulat bill given in to the Parliament in name of the ſuſpendars with the Chargers anſwers therto Which Bill is Refuſed by a solemne vote of Parliament in reſpect of the Anſwers and the Committies Report approven And whereas the Suſpendars do urge their alleadgeance with this pretence that the Chargers backbond or declaration was not produced the time of the former decreit and that the Parliament upon that accompt had no regaird to any alleadgence founded therupon whereas now the ſame is produced and that the ſame is but lately come to the Suſpendars hands whereby its obvious and plain that the Charger gave only fyfeteen thouſand merks in money and tranſaction so that no decreit can juſtifie the Repetition of more then he gave and that the Charger hath no prejudice to pay the three thouſand merks of ärents to the Earl of Tarras the Creditors repreſentative seing he had neither payed the ſame to him nor pe donator and that a gratuitous Diſcharge taken away by a ſupervenient Law can be no ground of debt Its Duplyed Primo That albeit Pitlivers Declaration or Backbond reſtricting the warrandice of pe diſcharge was not produced in the decreit yet it was expreſsly and moſt vigorouſly alleadged upon in every circumſtance thereof and Pitliver debated againſt the relevancie therof as if it had been produced So that the Parliament haveing determined upon the relevancie thereof by a ſolemne vote Repelling all the Earl and Counteſs Defences (q'of that founded on the declaration was one) It is all one upon the matter as if the declaration had been produced And Secundo The grounds of materiall equity wherupon the Parliament proceeded in giveing the forſaid decreit (and which was moſt maturely & deliberately conſidered both in the Committie & plain Parliament) are very plain and obvious viz. That the ſupervenient Law Reponeing againſt fynes and forfaultures altered the ſtate of the caſe from what it was the time of Pitlivers granting the diſcharge and qualifieing the ſame by the forſaid Declaratione and backbond wherby he was rendered obnoxious to & of new oblieſt to repeat to Heycheſter the Earl of Tarras son the ſoume charged for without reſpect to the tranſaction with the donator which neither did nor could ſtand againſt a ſupervenient Law as ſaid is And sicklike the Parliament Conſidered That by Pitlivers being Reponed againſt the said qualifieing backbond nihil deerat to Seaforth though he ſhould be decerned to relieve Pitliver of the ſoums charged for in reſpect of the profite Seaforth made at Pitlivers hands by the tranſaction in reference to the forſaid appriſeing which Pitliver had upon Seaforths Eſtate And Whereas it is alleadged that Pitlivers reſtricting of the warrandice to fyfteen thouſand merks was not upon the accompt of the tranſactione of the forfaulture but any abatement Pitliver did give was in relation to another tranſaction ſeverall years before and that in the caſe of exiſting of the eviction Pitliver is bound to warrand the Earl and Counteſs of all damnage and hazard as to any farder repetition then the fyfeteen thouſand merks It is Duplyed That the abatement Pitliver did give was not upon the accompt of any other bargain betwixt the Earl and him but as a part of the ſame tranſaction nor was the diſpoſition Pitliver gave to Seaforths appriſeing ane delivered evident till the time of the tranſactione of the forfaulture though the date be anterior which is not only clear from Pitlivers oath by which it appears that he gave ane abatement of about nyne or ten thouſand merks of the ſaid appriſeing that he had upon the Eſtate of Seaforth more then what compenſed the Eight thouſand merks wanting to make the fyfeteen thouſand merks contained in the declaration extend to the ſoums for which decreit is given againſt Seaforth beſides the paſsing from the Expired Legall But likewayes its clear from the declaration itſelfe founded upon bearing that there was only payed by Pitliver to the Earl the ſoume of fyfteen thouſand merks with the ärents therof That the Earle granted that favour to him upon the accompt of the lyke favour and abatement given by Pitliver to the Earl which was the quyting and giveing down ſo much of the ſoume of his appriſeing that he had upon the eſtate of Seaforth mentioned in his oath and which being

in the caſe of acceptilatione muſt be reckoned as payment eſpecially seing the ſubject accepted and whereupon the abatement was given by Pitliver did far exceed the ſoume that was decerned for by the Decreit of Parliament more then the said fyfeteen thouſand merks contained in the declaration and the ſubſequent clauſe of the declaration reſtricting þe warrandice muſt be ruled by þe narrative of the declaration bearing that Pitliver had granted the lyke favour & abatement to the Earl and which was more then equivalent As to the reaſon founded upon the arrieſting the Charger repeats his former anſuer viz. That he is content the money be conſigned in the Clerks hands and applyed to the payment of the Creditors And seing there is nothing now alleadged but what is fully contained in the decreit charged upon whereby res hactenus eſt judicata ſuper iiſdem deductis which is the preſent caſe and much leſs before the High Court of Parliament proceeding in a Judicative capacity for whatever may be pretended when the Parliament proceeds in a Legiſlative capacity that they may alter or reſcind Lawes at their pleaſure yet when they proceed in a Judicative capacity by determining a caſe in jure the ſentence cannot be queſtioned ſuper iiſdem deductis otherwayes there ſhould be no end of ſuch proceſses For that decreet might be therafter queſtioned upon the ſame reaſons et ſic in infinitum which were abſurd to pretend And therefor the chargers Letters ought to be found orderly proceeded and he abſoilzied from the Reductione The which Bill of Suſpenſion Summonds of reduction the Reaſons whereof being coincident as ſaid is with the forſaid Backbond granted by the ſaid Sir John Dempſter in favors of the ſaid Earl and Counteſs of Seaforth with the forſaid miſsive Letter abovenarrated subſcryved by the ſaid Sir John in manner forſaid Together with the forſaid decreit of Parliament in foro obtained at the inſtance of the said Sir John Dempſter againſt the Earl and Counteſs of Seaforth with þe forſaids Reaſons of ſuſpenſion and reduction which are coincident as said is with the Anſwers Replyes Duplyes and diſpute abovewritten proponed by either parties prõrs in manner abovementioned being this day at length heard seen and Conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament and they therewith being weel and rypely adviſed His Majesties High Commiſsioner and Eſtates of Parliament have Repelled and hereby Repells the forſaids Reaſons of Suſpenſion and Reduction and therefor Have found and hereby Find the forſaid Letters & charge raiſed uſed and Execute at the inſtance of the ſaid Sir John Dempſter of Pitliver charger againſt the said Kenneth Earl and Iſsobell Counteſs Dowager of Seaforth his mother upon the forſaid decreit of Parliament charged upon orderly proceeded and Decerns and Ordains the ſame to take effect and be put to farder execution ay and while the ſaid Kenneth Earl of Seaforth and the ſaid Iſsobell Counteſs Dowager of Seaforth his mother and aſsigney and who by the diſcharge abovementioned granted Recept of the ſoums above and therin contained make Conſignation in the hands of Mr Alexander Gibſone one of the prinll Clerks of Seſsion and Clerk to this proces of the ſaid ſoume of seven thouſand four hundred and ſixty ſix pounds as a part of the said ſoume of twenty thouſand merks and ärents þof forſaid payed by the ſaid Sir John Dempſter to the said Counteſs Dowager of Seaforth and which was not ſuſtained to the said Sir John as payment in the terms of þe Act of Parliament in favors of the ſaid Walter Earl of Tarras and ay and while the ſaid Earl and Counteſs of Seaforth make Conſignation as aforſaid of the ordinar ärent of the said ſoume of seven thouſand four hundred and ſixty ſix pounds money forſaid of all years and terms bygone ſince the feaſt and terme of Whitſunday Imo vjc- and eighty ſix years & yearly and termly in time comeing dureing the not payment of the ſaid ſoume And finally ay and while the said Earl & Counteſs dowager of Seaforth make alſo conſignation in the hands of the ſaid Mr Alexander Gibſone of the said ſoume of three thouſand merks as two years and a halfs ärent of the said prinll ſoume of twenty thouſand merks frae the ſaid term of Martinmaſs Imo vjc- and eighty three to the ſaid term of Whitſunday Imo vjc- and eighty ſix years which the Counteſs with Conſent of the Earl had formerly diſcharged the said Sir John Dempſter and which was not ſuſtained to him as payment in the former decreit of Parliament at the inſtance of the said Gideon Scott of Heycheſter againſt the ſaid Sir John Dempſter and which ſoums his Majeſtie and Eſtates of Parliament ordains and appoints to Remain in the hands of the said Mr Alexander Gibſone untill the forſaids arrieſtments founded upon be purged or their preference to the ſaid ſoumes be diſcuſt as accords And in lykemaner his Majeſtie and Eſtates of Parliament have Abſoilzied and Abſoilzies the said Sir John Dempſter of Pitliver frae the forſaid Summonds and action of Reduction intented and pursued befor His Majeſties High Commiſsioner and Eſtates of Parliament at the inſtance of the ſaid Kenneth Earl and Iſsobell Counteſs Dowager of Seaforth againſt him and Decerns and Declares him quyte therof and frec therefrae in all tyme comeing And therfor His Majeſtie and Eſtates of Parliament Gave and Pronunced their decreit and ſentence in the ſaid matter in Repelling Finding Decerning and Ordaining in manner abovewritten and ordaines Letters of Horning on fyfteen days and other Exells needfull to be direct hereupon in forme as affeirs.

PETITION the Lady Harwood Craveing the Parliament may modifie to her the third part of [The Lady Harwood]

her huſbands free fortune for her aliment he haveing dyed befor he was infeft and ſhe provyded in a competent Joynture, Read and Refuſed.

[Elizabeth Spence] PETITION Elizabeth Spence ſpouſe to Andrew Martine Read and laid aſyde.

Remit to the Privy Council in favors of Forraign ſhips that Export Coall

AT EDINBURGH the twelvth day of October one thouſand ſix Hundred and nynety ſix years The which day there being preſented to his Majeſties High Commiſsioner and the Eſtates of Parliament the draught of ane Act in favors of forraigne ſhips which export coall furth of this Kingdom and the ſamen being this day read for the second tyme in preſence of and conſidered by His Majeſties High Commiſsioner and the saids Eſtates They did Remitt & hereby Remitts to the Lords of His Majeſties Privy Counſell to Leſsen the impoſition upon the ſaid forraigne ſhips to Eight pence per tun as they ſhall find juſt.

RATIFICATION in favors of Ludovick Grant of that Ilk of the Lands Barony & Regality of Grant

51 AT EDINBURGH the twelvth day of October one thouſand six hundred and nynety ſix years OUR SOVERAIGN LORD with Advice and Conſent of the Eſtates of this preſent Parliament Ratifies and Approves and for His Majeſtie and His Succeſsors perpetually Confirms ane Chartor under the Great Seal of this Kingdome of the date the twenty eight day of February I^m^ vjc^o^ and nynety four years granted by His Majeſtie and His Royall Conſort the deceiſt Queen Mary of ever bleſsed memory with advice and conſent of the Lords and others Commiſsioners of their Majeſties Theſaury and Exchequer of this their ancient Kingdom of Scotland for the time to their Majeſties Right weel Beloved Counſellour Ludovick Grant now of that Ilk then deſigned of Freuchie and the airs male of his Bodie Which failzieing to the eldeſt air female lawfully procreat or to be procreat of his body and the deſcendants of the body of that air female without diviſion Which failzieing to the nixt air female of his body and the deſcendants of the body of that air female without diviſion Which failzieing to the said Ludovick Grant his airs male whatſomever Which all failzieing to his airs and aſsignyes whatſomever the eldeſt air female and the deſcendants of her body excludeing all other airs portioners and succeeding without diviſion whenever it ſhall happen airs female to ſucceed With and under the expreſs Reſervations Burdens Proviſions Conditions Declarations Reſtrictions Limitations and Clauſes Irritant aftermentioned allennarly and no otherwayes which are to be contained in the Inſtruments of Reſignation Chartors Saſines Retours Precepts upon Retours and others to follow upon the forſaid Chartor Of all and haill the Lands Barrony Lordſhip and Regality of Grant containing the severall Lands and others aftermentioned as the ſamine are particularly deſigned in manner underwritten Which Chartor contains ane Erection of all the Lands Barronies and others after ſpecified Holden of the King in ane haill and free Regality with free Chappell and Chancellary and ane Erection of the remanent Lands after ſpecified which are holden of Subjects in ane Bayliary with ane Erection of ane Burgh of Regality and ſeverall mercats fairs tolls cuſtomes and other priviledges therin ſpecified And of q^lk^ Chartor the tenor followes *

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Together with the Inſtrument of Saſine following þ^r^upon dated the day of June laſt bypaſt in this preſent year I^m^ vjc^o^ & nynety ſix In all and ſundry heads points articles Erections Changes of holding contained in the ſaid Chartor Precept and Inſtrument of Saſine And His Majeſtie with advyce and conſent of the Eſtates of this preſent Parliament Statutes and Ordaines that the said Chartor Precept and Inſtrument of Saſine ſhall ſtand and ſubſiſt and be good valid and ſufficient rights to the ſd Ludovick Grant of þ^t^ Ilk and his forſds in ſo far as concerns the intereſt of his Majeſtie or his Royall Succeſsors Wheranent His Matie with advyce & conſent forſd for himſelf and his Succeſsors doth hereby expreſsly diſpenſe and that þe ſamen ſhall never be Revocked nor Quarrelled be his Majeſtie nor his Succeſsors in tyme comeing.

Protestation for Alex^r^ Dunbar of Weſtfield against the foregoing Ratification

PATRICK Murray or Pennieland Commiſsioner for the Shyre of Caithneſs in name of Alex^r^ Dunbar of Weſtfield Proteſted in manner following ag^t^ þe abovewritten Ratifica^o^ne deſireing his Proteſta^o^ne to be recorded q^r^of þe tenor follows I Patrick Murray of Pennieland Commiſsioner for þe ſhire of Caithneſs in name & behalf of Alex^r^ Dumbar of Weſtfield heretable Sheriff of þe Sheriffdome of Elgine & Forres commonly called the Sheriffdom of Murray Do Proteſt in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament That the Ratification in favors of the Laird of Grant of his Chartor under the Great Seal erecting his haill lands & Barronies in a free Regality togither with all the Juriſdictions Immunities Liberties & priviledges contained in þe ſd Regality may be nowayes prejudiciall to the said Sheriff of Murray his Heretable Juriſdiction of Sheriffrie within the said ſhyre or his juſt rights priviledges

* The Charter under the Great Seal is here recited at large in the Record.

or Heretable Juriſdictions granted to him and his predeceſsors And thereupon take Inſtruments Sic ſubſcribitur Pat: Murray

RATIFICATION of their Majeſties Gift and Mortification in favors of the Second Miniſter of Dumfreis

52 OUR SOVERAIGN LORD with advice and conſent of the Eſtates of Parliament does hereby Ratifie Approve and perpetually Confirm ane Letter of Gift and Mortification granted by his Majeſtie King William and his Royall Conſort the deceiſt Queen Mary under the Great Seal of His Majeſties ancient Kingdom of Scotland to and in favors of the Second Miniſter of Dumfreis and to his Succeſsors in office of the date underwritten wherof the tenor follows GULIELMUS et MARIA Dei gratia magnæ Britanniæ Franciæ et Hiberniæ Rex et Regina fideiq, defenſores Omnibus probis Hominibus totius terre ſue Clericis et Laicis Salutem Quandoquidem Nos conſiderantes quod Domini Commiſsionis Parliamenti pro Eccleſiis plantandis et decimis valuendis Audientes et Conſiderantes petitionem Magiſtri Georgii Campbell primi Miniſtri evangelii apud templum de Drumfreis et Joannis Blair Solicitatoris pro Eccleſia pro ejus intereſse ut juſta daretur augmentatio et proviſio miniſtro secundo apud dictum templum Quoniam eadem parochia admodum eſt ſpatioſa et numeroſa continen ſupra tres mille perſonas examinabiles Necnon Petitionem per dictum Magiſtrum Georgium Campbell oblatam per quam declaravit quod quum decime ex quibus dict secundi Miniſtri stipendium petitur ad Nos tanquam devenien in vicem et locum Epiſcoporum pertinent Igitur magis idoneum exiſtimavit dictos Dominos supplicare quam Lege proſequi Ideoq, dicti Domini Commiſsionarii ſufficienter et mature Conſulti in re illa opinionem ſuam dederunt et Judicium ſuum obtulerunt Quod dict secundus miniſter apud dictam Eccleſiam curam inservien Stipendium haberet ſumme unius mille et ducentarum mercarum monete Scotiæ annuatim Conficiend de Summa Quatuor centum mercarum monete predict pro preſenti ex decimis excreſcentibus per dictum primum Miniſtrum de Drumfreis nobis ſolubili et reliquum de Summa octocentum mercarum annuatim ex redditibus et divoriis abbaciæ de New Abbay ſolvend viz. ſummam Tercentum mercarum ejuſdem de terris vocat Terris de Lands et Quinq, centum mercarum de piſcatione et molendino de New Abbay dictiq, domini ſimiliter Nobis Recommendarunt dict ſtipendium Concedere vel per liberam noſtram donationem cum aviſamento et conſenſu dominorum noſtri Theſaurarii et Scaccarii vel Concedendo warrantum dicte Commiſsioni Parliamenti eundem prout iis juſtum videretur modificare locare vel ſtabilire Nos autem Statuentes Evangelii predicationem Sacramentorum adminiſtrationem et Eccleſiæ diſciplinam omnimodo favere et patrocinare Et ſerio perpendentes peramplos limites et numerum populi parochie predict aliaſq, cauſas et rationes ſupra recitatas Ideoq, in Judicio et opinione Dominorum aliorumq, dict Commiſsionis secundum Recommendationem ſupra expreſſ prout eadem amplius proportat acquieſcere nobis viſum eſt Noveritis Igitur Nos cum aviſamento et conſenſu predilectorum et confiſorum noſtrorum Conſanguineorum et Conciliariorum Joannis Comitis de Tweeddale Summi Cancellarii antiqui Regni noſtri Scotiæ Jacobi Comitis de Drumlangrig Joannis Comitis de Caſsills Georgii Comitis de Linlithgow Joannis Comitis de Braidalbain et Alexandri Domini Raith noſtri Theſaurarii deputati Dominorum Commiſsionariorum noſtri Theſaurarii necnon cum aviſamento et conſenſu Dominorum aliorumq, noſtri Scaccarii dicti Regni Commiſsionariorum constituiſse et ordinaſse sicuti tenore preſentium conſtituimus et ordinamus prefato secundo Miniſtro ejuſq, in officio Succeſsoribus Summam unius mille et ducentum mercarum monete Scotiæ annuatim Conficiend de Summa quatuor centum mercarum per dictum primum Miniſtrum de Drumfreis nobis ex decimis excreſcentibus annuatim ſolubili in primo loco et reliquum Conficiend de ſumma octingintarum mercarum annuatim ex redditibus et divoriis abbacie de New Abbay Solvend viz. summa Tercentum mercarum ejuſdem de terris vocat Terris de Lands Et Quinquies Centum mercarum de piſcatione et molendino de New Abbay Utq, solutio dicti Stipendii magis efficax reddatur Nos cum aviſamento et conſenſu predict Dedimus Conceſsimus mortificavimus et diſpoſuimus dicto Secundo Miniſtro apud Templum de Drumfreis ejuſq, in officio Succeſsoribus ſummam unius mille et bis centum mercarum monete antedict annuatim conficiend de dict Summa quatuorcentum mercarum pro preſenti per dictum primum miniſtrum nobis ex decimis excreſcentibus solubili reliquum de Summa octingintarum mercarum annuatim ex Redditibus et divoriis abbacie de New Abbay ſolvend viz. Summa Tercentum mercarum ejuſdem de terris vocat terris de Lands Et quinq, centum mercarum de piſcatione et molendino de New Abbay Et Volumus et Concedimus Mandamus et Ordinamus dictos Dominos noſtri Thesaurarii dictam Summam Secundo Miniſtro dicti templi de Drumfreis ejuſq, in officio Succeſsoribus mortificatam et diſpoſitam locare et diſtribuere ac conficiend de dict Summa Quatuor centum mercarum annuatim per dictum primum miniſtrum nobis de decimis excreſcentibus ſolubili in primo loco Et Reliquum de Summa octingintarum mercarum annuatim ex redditibus et divoriis abbacie de New Abbay ſolvend viz. Summa Tercentum mercarum ejuſdem de Terris vocat Terris de Lands Et quinq, centum mercarum de piſcatione et molendino de

New Abbay Quamquidem localitatem ita faciendam mandamus et imperamus per dictam Commiſsionem pro Eccleſiis plantandis et decimis valuendis approbari Et in eorum Libris Regiſtrari Quodq; decretum Dominorum ejuſdem eidem interponatur ut Litere Cornuationis aliaq; neceſsaria ut expedit' deſuper expediantur Tenend et Habend dict' Secundo Miniſtro de Drumfreis ejuſq; in officio Succeſsoribus de Nobis noſtriſq; Succeſsoribus in pura elemoſina in perpetuum libere quiete plenarie integre honorifice bene et in pace sine ulla revocatione contradictione ſeu obſtaculo aliquali Reddendo inde annuatim dict' Secundus Miniſter apud dictum templum de Drumfreis ejuſq; Succeſsores in officio preces et supplicationes Deo omnipotenti pro salute et proſperitate noſtra noſtrorumq; succeſsorum Et denique decernimus et ordinamus quod Safina capiend intra Cemiterium dicti Templi de Drumfreis ſtabit et ſufficiens erit ſaſina in perpetuum dict' Secundo Miniſtro ejuſq; in officio succeſsoribus pro integris premiſsis per hanc noſtram Cartam iis mortificat' et diſpoſit' Inſuper Prepoſito et Ballivis Burgi noſtri de Drumfreis necnon dilectis noſtris
et eorum cuilibet conjunctim et diviſim Prepoſitis et Ballivis Burgi de Drumfreis in hac parte specialiter conſtitut' Salutem Vobis Precipimus et mandamus quatenus prefato Secundo Miniſtro apud dictum templum de Drumfreis vel ſuo certo acturnato latori . preſentium Safinam predict' ſummæ unius mille et ducentum' mercarum monete Scotiæ annuatim conficiend de dict' Summa quatuor centum Mercarum annuatim per dictum primum Miniſtrum ex decimis excreſcentibus nobis solubili et reliquum de dict' Summa octingintarum mercarum annuatim ex redditibus et divoriis Abbacie de New Abbay ſolvend vi;. Summa tercentum mercarum ejuſd de terris vocat' Terris de Lands Et quinq; centum mercarum de piſcatione et molendino de New Abbay secundum formam et tenorem antedict' Cartæ noſtræ quam de nobis inde habet et diſpenſationis predict' juſte haberi faciatis Ad quod faciendum vobis et veſtrum cuilibet conjunctim et diviſim Prepoſitis et Ballivis Burgi de Drumfreis in hac parte antedict' committimus poteſtatem In cujus rei Teſtimonium huic preſenti Cartæ noſtræ magnum ſigillum noſtrum appendi mandavimus Teſtibus predilecto noſtro Conſanguineo et Conciliario Georgio Vicecomite de Tarbat nobis ab Archivis et Regiſtris Clerico dilecto noſtro Conciliario Adamo Cockburn de Ormieſtoun noſtro Juſticiario Clerico et dilectis noſtris domino Gulielmo et Magiſtro Joanne Kers noſtræ Cancellariæ directoribus Apud aulam noſtram de Kenſingtoun vigeſimo tertio die menſis Martii anno domini milleſimo ſexcenteſimo nonageſimo tertio annoq; Regni noſtri quarto TOGETHER with the Inſtrument of Seaſine following or competent to follow thereupon in the haill heads articles and clauſes of the ſamine and after the forms and tenors therof in all points And His Majeſtie with advyce and conſent of the said Estates of Parliament Statutes and Ordains that the forſaid Letter of Gift and Mortification Precept of Saſine therin contained and Inſtrument of Seaſine following therupon shall be a good valid and ſufficient right to the said Second Miniſter of Dumfreis and his Succeſsors in office in ſo far as concerns the intereſt of his Majeſtie or his Royall Succeſsors Wheranent His Majeſtie with conſent forſaid for him and his said Succeſsors does hereby expreſsly diſpenſe And promiſes that the ſame ſhall never be quarrelled nor revocked by his Matie nor His Succeſsors in tyme comeing.

Proteſtation Mr John Spottiſwood of Crumſtain ag^t the forſaid Ratificatione

RATIFICATION in favors of William Stewart of Caſtlestewart of the Lands & Barony of Castlestewart

OUR SOVERAIGN LORD with advice and consent of the Eſtates of Parliament of His Majeſties ancient Kingdom of Scotland by thir preſents Ratifies Approves and Confirms ane Chartor granted by King Charles the Second of ever bleſsed memory under His Royal hand and great Seal of the said Kingdom in favors of William Stewart of Caſtlestewart fourth lawfull son to wmq^h James Earl of Galloway and his airs aftermentioned of the date at Whytehall the firſt day of July I^m vjc^o and Seventy ſeven years whereby His Majeſtie Gave Granted and Diſponed and for him and his succeſsors perpetually Confirmed to the said William Stewart and the airs male lawfully procreat or to be procreat of his body Which failzieing to his airs male and aſsigneyes whatſomever Which failzieing to the airs male whatſomever of wmq^h Collonell William Stewart late of Caſtlestewart bearing the name and arms of Stewart All and Haill the Lands and Barrony of Caſtlestewart formerly called the Lands and Barrony of Kilcreuchie which comprehends therintill that ſteading or pendicle called Ochiltrie with the caſtle tour fortalice manor place houſes biggings yeards orchyeards milnes woods fiſhings tenments tennendries and ſervice of free Tenments parts pendicles and haill pertinents of the ſamine whatſoever lying within the parochine of Penninghame and ſheriffdom of Wigtoun And which chartor proceeds upon the Reſignation of the said wmq^h Collonell William Stewart in favors of the ſaid William Stewart and his forſaids and containeth ane Novo damus Lykeas by the ſaid Chartor his ſaid wmq^h Majeſtie did Make Creat Erect and Incorporat the Burgh and village 53

of Newtounstewart formerly called the Foardhouſe of Cree with the haill houſes and buildings therof with ſuch Lands and aikers of Lands which ſhould pleaſe the ſaid William Stewart and his forſaids to deſigne and appoint them and in all tyme therafter to be called the Burgh of Newtounstewart. With power to the said William Stewart and his forsaids to erect build and augment the said Burgh and to creat Burgeſses within the samine to whom and to the Inhabitants of the said village or Burgh of Newtounstewart and to every one of them preſent or to come haveing warrand licence and commiſsione from the said William Stewart and his forſaids His said wmq^{ll} Majeſtie Gave granted and committed full power and ſpeciall licence of buying and selling wyne wax linen and woollen Cloath and all other merchandiſe within the ſamine ſicklyke and als freely as in any other Burgh of Barrony within the ſaid Kingdom the ſame uſeth to be bought and ſold As also to keep hold admit and receive Baxters Braſiers Cloathiers Fiſhers Taylors Shoemakers Skinners Glaziers Wrights Smiths Maſons Webſters and other tradeſmen neceſsar within the said Burgh As also to keep and hold within the said Burgh weekly mercats upon Fryday and two free fairs yearly within the said burgh of Newtounſtewart at the tymes following to wit the firſt fair upon the laſt Fryday of July yearly and the other fair upon the firſt Fryday of November yearly And each of the saids fairs to endure for the ſpace of tuo dayes for buying and ſelling of horſe kyne ſheep victuall and all other goods and merchandiſe uſed and wont to be ſold in any other Burgh of Barrony within the said Kingdom With power alſo to the said William Stewart and his forsaids to intromet with receive and collect the haill cuſtomes of the said weekly mercats and yearly fairs and to apply the same to their own uſe and to erect and build ane tolbuith and mercat Croſs within the said Burgh and to name creat and appoint Baillies Clerks Serjants and other officers neceſsar for governing of the said Burgh and adminiſtrating juſtice therintill and to alter and change them as often as they ſhall think fit and to hold Barron Courts within the said Burgh and liberties therof to puniſh Tranſgreſsors according to the Laws of the said Kingdom to receive and uplift the fynes and amerciaments and to apply the same to their own uſe and if need beis to poynd and deſtrenzie for the ſame and with all and ſundry other liberties and priviledges which hath or may pertain and belong to any free Burgh of Barrony And which Chartor contains ane new union of the ſaids Lands and Barrony of Caſtleſtewart formerly called the Lands and Barrony of Kilcreuchie comprehending as said is with the caſtle tower fortalice and other pertinents p^{r}of abovewritten and of the said Burgh of Barrony lying as said is in ane haill and free Barrony called and to be called in all tyme therafter the Barrony of Castlestewart Ordaining the said caſtle tower fortalice and manner place of Caſtleſtewart to be the principall meſsuage of the said Barrony and Willing and Granting for His Majeſtie and His Highneſs forſds decerning ordaining and declaring that ane ſaſine to be taken therat by the said William Stewart and his forsaids or upon the ground of any part of the saids Lands ſhall be ane valid & ſufficient ſaſine to them for the haill Lands Burgh of Barrony Barrony and others abovewritten to be Holden and to be Held all and Haill the saids Lands and Barrony of Caſtleſtewart comprehending as said is with the pertinents abovewritten and the said Burgh of Barrony and haill priviledges and liberties therof by the said William Stewart and his forſds of our ſaid Soveraign Lord and His Highneſs Succeſsors ſuperiors therof in fie heritage and free Barrony and Burgh of Barrony for ever Giving yearly the said William Stewart and his forſaids to our said Soveraign Lord and His Highneſs forsaids for the saids Lands and Barrony of Caſtlestewart formerly called the Barrony of Killcreuchie comprehending as ſaid is the taxt duties of Waird Relieffe and Marriage & Nonentry underwryten to which the samine by the forsaid chartor are taxed in manner therin ſpeit to wit dureing the haill tyme of pe waird and nonentry the ſum of four hundred merks at two terms in the year Whitſunday and Martinmaſs in winter by equall portions and the ſum of four hundred merks money forſaid for the relief therof and the ſum of eight hundred merks money forſaid for the mariage of the air or airs of the said William Stewart and his succeſsors when the ſame ſhall happen allennarly And for the said Burgh of Barrony of Newtounstewart liberties priviledges and immunities therof ane penny money forſaid upon the ground of any part of the ſaids Lands yearly at the feaſt of Whitſunday if the samine beis aſked allennarly and the adminiſtration of Juſtice to the Inhabitants of the said Burgh and to all others His Majeſties Leidges as effeirs And which Chartor alſo contains ane diſpenſation for serveing the airs & aſsigneyes of the said William Stewart and his succeſsors to the saids Lands Barrony and Burgh of Barrony and others abovewritten at any tyme of their age and notwithſtanding they be minors for the tyme Together with the Precept of ſaſine contained in the ſaid Chartor and Inſtrument of ſaſine following therupon of the date the twenty fyfth day of October one thouſand ſix hundred and seventy ſeven years forſaid under the ſigne and ſubſcription of Hugh Paterſone of Bannockburn Wryter to the Signet and Notar Publict Regiſtrat in the generall Regiſter of Saſines at Edinburgh upon the Eight day of December therafter in the haill heads articles clauſes conditions and circumſtances of the ſamine and after the forms and tenors therof in all points except as to the day of the week of the

ſaid weekly mercat and yearly fair which for the Cauſes following are hereby altered and changed from Fryday to Wedneſday in manner following Attour Our ſaid Soveraigne Lord with the advyce and conſent of the Eſtates of Parliament by thir preſents Wills and Grants and for his Majeſtie and his Highneſs forſaids Decerns and Ordains this preſent Ratification to be als valid effectuall and ſufficient to the ſaid William Stewart and his forſaids as if the ſaid Chartour and infeftment following therupon were word by word inſert hereintill Wheranent and with all other defects and imperfections that may be moved or objected againſt the ſame or againſt this preſent Ratification therof His Majeſtie hath diſpenſed and hereby diſpenſes for ever Moreover Our Soveraigne Lord understanding that by the Laws of the ſaid Kingdome all Mercats on Saturnday and Munday are diſcharged and that the ſaids fairs by the forſaid Chartor are appointed to begin on Fryday and to continue for two dayes whereby the ſame doth interfeir with the Laws of the ſaid Kingdome And lykewayes understanding that the ſaid weekly mercats upon Fryday do interfeir with the weekly mercats of severall other adjacent and neighbouring Burghs and villages and that it will be more convenient for the ſaid William Stewart and his forſaids that the saids two yearly fairs of the said Burgh of Newtounſtewart do begin and be keeped upon Wedneſday and Thurſday yearly & that the saids weekly mercats of the ſaid Burgh be keeped and holden upon Wednesday weekly in all tymes comeing Therefor Our said Soveraigne Lord with advice & conſent of the Estates of Parliament does hereby Alter and Change the saids yearly fairs from the laſt Fryday of July and firſt Fryday of November yearly to the laſt Wedneſday of July and firſt Wedneſday of November yearly in all tyme comeing And the saids weekly mercats of the said Burgh from Fryday to Wedneſday weekly in all tyme comeing And hereby Decern and Ordain the saids two yearly fairs and weekly mercats to be keeped and holden within the said Burgh in all tyme comeing at the tymes and upon the dayes abovewritten to which they are hereby changed in manner abovespēit And that notwithſtanding of the forſaid Chartour or any other thing that may be objected theragainſt It is alwayes hereby provyded and declared That the forſaid alteration and change of the saids yearly fairs and weekly mercats from Fryday to Wedneſday in manner forſaid ſhall nowayes be hurtfull or prejudiciall to the said William Stewart and his forſaids anent their right of the saids Lands and Barrony Burgh of Barrony yearly fairs and weekly mercats therof and haill priviledges liberties and immunities of the samine But the said right of the same ſhall remain inteir to them theranent in the same way and manner as if the ſaids dayes and tymes to which the saids yearly fairs and weekly mercats are hereby changed in manner forſaid were contained and inſert in their saids rights and as if that the tymes and dayes upon which they were formerly holden and keeped had never been contained nor inſert thereintill.

RATIFICATION in favors of Archbald Crawford of Auchinames of the Lands & Barrony of Auchinames

OUR SOVERAIGN LORD and Eſtates of Parliament presently conveened by His Majeſties speciall authority have Ratified Approven and perpetually Confirmed and hereby Ratifie Approve and perpetually Confirme ane Signature or Warrand under His Majeſties Royal hand bearing date at Kenſingtoun the twenty eight day of February I^m^ vj^c^ and nynety five years duely Recorded in the books of Exchequer upon the thirteenth day of Auguſt I^m^ vj^c^ and nynety fyve years for ane Chartour and Infeftment to be made and paſt under His Majeſties great Seal in favors of the deceiſt William Crawford of Auchinames younger and Helen Burnet his ſpouſe and longeſt liver of them two in conjunct fie and lyferent and to the airs male of the marriage to be procreat betwixt them Q^lks^ failȝieing to the said William Crawford his neareſt and lawfull airs male Q^lks^ failȝieing his airs or aſsigneyes whatſomever heretably and irredeemably Of all and haill the mannor place yeards and office houſes of Corſbie lyand within the Bailliary of Cuninghame and ſheriffdom of Air And of all and haill the twelve pound Land of old extent of Auchinames with the tower fortalice mylnes multures and ſequells therof houſes biggings yeards orchyeards and haill pertinents of the ſamine lyand within the parochine of Killbarquhan and ſheriffdom of Renfrew And als in favors of the said wm^q^^t^ William Crawford and his saids neareſt airs male Q^lks^ failȝieing his airs or aſsigneyes whatſomever heretably and irredeemably as said is with and under the Proviſions therin mentioned conceived in favors of the said Helen Burnet Of all and haill the advocation and donation of the chappell of Saint Katharine ſituat within the Church yeard of Killbarquhane lyand within the parochine and ſheriffdom forſaid and of all and haill the gleib and chappell Lands commonly called the chappel Lands of Saint Katharine ſituat as aforſaid viz. The Lands of Lawmarnock Glentyan and Damptoun with the mylne parts pendicles and pertinents of all and ſundry the forſaids Lands lyand within the Barrony and ſheriffdom of Renfrew forſaid As also of all and haill ane ārent of three merks Scots money yearly to be uplifted at two termes in the year Whitſunday and Martinmaſs by equall portions furth of all and haill the Lands of Calliochaunt Corbarr and Auchinames lyand within the ſaid ſheriffdome also pertaining to the said Chappell or chappell

54

Lands And sicklike of all and haill the twenty pound Land of Corſbie Mynnock and Gill both property and superiority p̄of (except the ſix pound Land of Mynnock and Gill pertaining to the Laird of Kilbirnie) with the mannor places houſes biggings yeards orchyeards parts pendicles and pertinents of the ſamine whatſomever lyand within the parochine of Killbryde Bailliary of Cunninghame and ſheriffdom of Air forſaid (Reserveing to the ſaid Helen Burnet her lyferent of the saids haill Lands provyded to her in manner and in the caſes reẽive therinſpẽit) proceeding upon the Reſignation of Archbald Crawford elder of Auchinames be vertue of the Contract of Marriage made and paſt betwixt the ſaid William Crauford his ſon and the ſaid Helen Burnet And which Signature or Warrand under His Majeſties hand did contain ane Clauſe of Novo Damus of the said haill Lands and others abovewritten with ane diſsolution therof fra all others Barronies & others whereunto they or any of them were any wayes formerly annexed and ane union and erection of the ſamine in ane haill and free Barrony called the Barrony of Auchinames Ordaining the tower fortalice and mannor place of Auchinames to be the principall meſsuage of the said Barrony wherat or upon the ground of any other part of the ſamine Barrony ane Saſine is to be taken for the whole in all tyme comeing And als containing the change of Holding after mentioned togither with ane other Signature or Warrand paſt be the Lords Commiſsioners of his Majeſties Theſaury and Exchequer relative to and in the terms of the said former Signature under his Majeſties hand (in reſpect the ſaid William Crauford of Auchinames younger dyed before the paſsing and expedeing therof) in favors of the said Archbald Crawford of Auchinames as air male ſerved and retoured to the ſaid wmq^t^ William Crauford his ſon and his neareſt and lawfull airs male Q^lks^ failzieing his airs and aſsigneyes whatſomever heretably and irredeemably and in favors of the said Helen Burnet in lyferent either of them for their own parts as is aboveſpecified of the forſaids Lands Barrony and others abovementioned Reſigned be the said Archbald Crauford in favors of the said William Crauford his son and his ſaid ſpouſe and whereunto and to the Signature paſt therupon under his Majeſties Royall hand the said Archbald Crauford has right as aire male ſerved & retoured to his said wmq^t^ ſon as aforſaid with the Chartor under the great Seall following upon the said laſt Signature dated at Edinburgh the twenty sixth day of July I^m^ vj^c^ & nynety fyve years containing the saids clauſes of de Novo Damus diſsolution erection and change of Holding contained in the said firſt Signature To be Holden of his Majeſtie for himſelfe and as Prince and Stewart of Scotland and his Succeſsors Kings Princes and Stewarts therof reẽive in free Barrony fie and heretage for ever for payment of the few ferm duties taxtwaird duties rights and ſervices contained in the former infeftments therof And whereby His Majeſtie is graciouſly pleaſed to change the Holding of the saids twelve pound Lands of Auchinames with the said advocation & donation of the said Chappell of Saint Kathrine formerly holden of his Majeſtie as Prince and Stewart of Scotland for ſervice of waird relief & marriage fra simple waird to taxt waird for payment of the Sum of ane Hundred and twenty pounds Scots money yearly at two terms in the year Whitſunday and Martinmaſs by equall portions dureing the waird and nonentry als much for the relief therof and of the ſum of Two Hundred and fourty pounds money forſaid for the marriage of the air when and how oft ſoever the samen ſhall happen to fall in all tyme comeing And diſpenſes with the airs to enter notwithſtanding of their minority in manner ſpecified in ꝑe ſaids Signatures and Chartors following therupon with the Inſtrument of Saſine following upon the said Chartor in the haill heads clauſes oblidgements conditions, tenors and contents thereof with all that has followed or may follow thereupon And His Majeſtie and Eſtates of Parliament forſds Wills and Grants and for them and their Succeſsors Statutes & Ordains that the forſaid generall Ratification is and ſhall be als valid effectuall and ſufficient to the said Helen Burnet and Archbald Crauford of Auchinames and his ſucceſsors in the forſaids Lands and eſtate in all tyme comeing as if the ſaid Chartor and infeftment above ratified had proceeded upon the said Signature or Warrand under his Majeſties Royall hand immediatly and as if the forſaids Signatures Chartor & ſaſine generally above ratified were herein particularly & verbatim infert and ingroſsed And that the forſaids Signatures Chartors and Infeftments ſhall be good and ſufficient Rights to the said Archbald Crauford and his forſaids and the said Helen Burnet for their reẽive intereſts for bruiking and poſſeſsing the saids Lands and others forſaids in ſo far as concerns the intereſt of his Majeſtie and his Royall Succeſsors And that they ſhall be als valid as if the same had been donie by decreit and delyverance of Parliament whcranent and with all other Exceptions that may be proponed or alleadged againſt this preſent Ratification His Majeſtie and Eſtates of Parliament forſaids Have diſpenſed and hereby Diſpenſes for ever and that the same ſhall never be quarrelled nor revoked by his Majeſtie nor his Succeſsors in tyme comeing.

RATIFICATION in favours of Alexander Gellie of Blackford of the Lands & Barrony of Blackford

55 OUR SOVERAIGN LORD with advyce and conſent of His Majeſties Eſtates of Parliament of this ancient Kingdom of Scotland takeing to their conſideration the good true and faithfull ſervice done to His Highneſs and his Progenitors in tyme paſt by Alexander Gellie of Blackford and his predeceſsors and for certain other onerous cauſes and conſiderations moveing his Majeſtie and Eſtates of Parliament forſaid have Ratified Approven and Confirmed and by thir preſents Ratifies Approves & Confirms the Chartor granted by King Charles the Second of ever bleſsed memory under his Royall hand and Great Seal of this Kingdom of the date at his Majeſties Court at Whitehall the tenth day of June I^m vj^c^ and ſixty one years whereby Our said Soveraign Lord with advyce & conſent of His Majeſties Thesaury and Exchequer Gave Granted and Diſponed to John Malcolme of Balbedie his airs and aſsigneyes whatſomever Heretably and Irredeemably All and haill the sunnie third part of all and haill the Lands of Reidhill Bruickhill and Beatkiehill and the Lands of Tockan of Beatkiehill so called with the houſes biggings tofts crofts outſetts inſetts multures and ſequells therof with their haill liberties priviledges properties commonties common paſturage & pertinents whatſomever extending in haill to a twenty ſhilling Land of old extent And likewayes all and haill the Toun & Lands and Maynes of Blackford called over Blackfurd Midletoun of Blackfurd mylne of Blackfurd & milne Lands therof with the aſtrict multures sequells and knaveſhip of the same Togither with all and ſundry houſes biggings yeards tofts crofts outſetts cottages inſetts mariſhes meadows fields commodities common paſturages boigs parks doucats annexis connexis dependencies fewall foggage divots tennents tenandries and ſervice of free tennents with their haill parts pendicles and pertinents extending to ane fourty ſhilling Land of old extent Which Lands and others abovewritten are unite in ane haill and free Barrony called the Barrony of Blackfurd in manner mentioned in the old Rights and Evidents therof As also all and haill the Lands of Over Baldwhiſhes with the mylne mylnelands multures ſequells sucken and knaveſhips therof all lying within the ſherriffdom of Aberdeen Which Lands Barrony and others abovewritten pertained heretably of before to the deceiſt James Gardyne of Blackfurd and are all holden of His Majeſtie for himſelfe and as come in vice and place of the Biſhop of Aberdeen and did fall and become in his Majeſties hands as ultimus heres by the Laws and practique of this Kingdom and priviledge of the Crown through being of the saids Lands provyded to the said James Gardine and his airs male bearing the name & arms of Gradyne And that he deceiſsed without any ſuch airs male within degrees of Succeſsion who could succeed to him therin by the Laws and practique of this Realm or any lawfull diſpoſition therof made by him in his lyfetyme By which Chartor and Signature abovementioned His Majeſtie with conſent forſaid did unite annex and incorporat all & ſundry the Lands mylne milnelands multurs ſequells commonties common paſturage and pertinents therof forſds into ane haill and free Barrony as formerly to be called the Barrony of Blackfurd and ordained the mannor place of Blackfurd to be the prin^ll^ meſsuage therof Togither with the Precept of Saſine under the quarter Seal conform to and of þe ſame date with the said Chartor and Inſtrument of Saſine following therupon And likewayes another Chartor granted by King Charles the Second under His Majeſties Great Seal of the date the third day of March I^m^ vj^c^ and Sixty nyne years Whereby our said Soveraign Lord with the advyce and conſent of the Lords Commiſsioners of His Majeſties Thesaury and Exchequer Gave granted and diſponed to the deceiſt Adam Urquhart of Meldrum his airs and assigneyes whatſomever heretably and irredeemably the haill Lands Barrony & others abovewritten unite and lying in manner forſaid upon the reſignation of the said John Malcolme of Balbedie Whereby the samine are again unite into a Barrony to be called the Barrony of Blackfurd and the said mannor place therof is Decerned to be the prin^ll^ meſsuage of the forſaid Barrony To be holden of His Majeſtie and His Succeſsors in free Blench ferm few and heretage for ever for payment to His Majeſtie and his Succeſsors of ane penny Scots money yearly in name of blench ferm if it be required allennarly with the Precept of Saſine under the quarter Seal conform to and of the ſame date with the ſaid Chartor and Inſtrument of Saſine following therupon As also another Chartor under His Majeſties Great Seal of the date the third day of Auguſt I^m^ vj^c^ and Seventy ſeven years Whereby Our said Soveraign Lord King Charles the Second with advyce and conſent therin mentioned upon the Reſignation of the said Adam Urquhart of Meldrum gave granted and diſponed to the said Alexander Gellie of Blackfurd heretably and irredeemably and to John Gellie his eldeſt lawfull ſon under the Declarations and Conditions therin mentioned conceived in favors of the said Alexander Gellie all & ſundry the Lands Barrony and others abovemſpēit with the pertinents lying as ſaid is And lykewayes all & ſundry the teynds of the two part Lands of Badaquhaſh als weel great as ſmall perſonage as viccarage lying within þe parochine of Fyvie Barrony of Rothenormand and ſheriffdom of Aberdeen to be holden in manner abovementioned for yearly payment to His Majeſtie and his

Succeſsors of ane penny Scots money for the saids Lands & Barrony in name of blench ferm if the ſamine beis required allennarly and for the saids teynds of the two part Lands of Badaquhaſh ane penny money forſaid in name of blench ferm if it be requyred allenarly Togither with the Confirmation and Precept of Saſine contained in the ſaid Chartor and Inſtrument of Saſine following upon the forſaid precept in all and sundry heads points articles and clauſes therein contained after the form and tenor therof And Our Soveraign Lord with conſent of his said Eſtates of Parliament Statutes & Ordaines that this preſent Ratification is and ſhall be als valid effectuall & ſufficient as if the said Signatures Chartors Precepts & Inſtruments of Saſine were at length herein inſert diſpenſeing by thir presents with the not inſerting therof in this Act of Ratification Lykeas His Majeſtie with advyce and conſent forsaid Wills grants and Ordaines the Lands Barrony and others above mentioned in all tyme comeing to be holden of His Majeſtie and his Succeſsors by the said Alexander Gellie and his said ſon and their forſaids in free blench for payment of the blench duty abovesp̃eit And Finds Declares Statutes & Ordaines that the forſaids Signature Chartors Precepts & Inſtruments of Saſine with the remanent Rights and Securities made to the said Alexander Gellie and his said ſon their predeceſsors and authors of the Lands Barrony Teynds and others rexive above-written ſhall be ſufficient and valid Rights & Securities for bruicking and joyſeing the samine Lands Barrony Teynds and others abovesp̃eit in all tyme comeing to be holden of His Majeſtie and his Succeſsors in free blench ferme in manner above rehearſed And lykewayes His Majeſtie with advyce and conſent of the Eſtates of this preſent Parliament Statutes and Ordaines that the forſaids Chartors under His Majeſties Great Seal ſhall ſtand & ſubſiſt and be good valid and ſufficient rights to the said Alexander Gellie his said ſon and their forſaids in ſo far as concerns the intereſt of His Majeſtie or his Royall Succeſsors And that the samine ſhall be als valid as if the same had been done by decreit & delyverance of Parliament Whereanent His Majeſtie with advyce and conſent forſaid for himſelf and his Succeſsors do hereby expreſsly diſpenſe and that the same ſhall never be quarrelled nor revocked by His Majeſtie nor his Succeſsors in tyme comeing

RATIFICATION in favors of Sir Colin Campbell of Aberuchill and James Campbell his eldeſt lawful son of the Lands and Barony of Aberuchill

56 OUR SOVERAIGN LORD and Eſtates of Parliament Ratifies Approves & Confirms the Chartor under the Great Seal of the date at Kenſingtoun the twenty nynth day of Aprile one thouſand ſix hundred and nynety fyve years Granted by His Royall Majeſtie for himſelfe as King and as Prince and Stewart of Scotland Duke of Rotheſay Lord of the Iſles and Barron of Renfrew to and in favors of Sir Colin Campbell of Aberuchill Knight and Barronet ane of the Senators of the Colledge of Juſtice and James Campbell his eldeſt lawfull ſon and his airs of tailzie and aſsigneyes mentioned in the ſaid Chartor wherof the tenor followes *

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As also His Majeſtie and Eſtates of Parliament forſd Ratifies Approves and Confirms the Precept of Saſine forſd contained in the Chartor above-written and Inſtrument of Saſine following therupon in favors of ꝑe ſaid Sir Colin and James Campbell under ꝑe hand of James Taylour notar publict of the date the twenty ſeventh day of September and Regrat in the general Regiſter of Saſines keept at Edinburgh upon the twenty day of November therafter I^m vj^c & nynety fyve years In all and ſundry the haill heads points articles circumſtances clauſes proviſions conditions reſervations tenors and contents of the ſaid Chartor after the forme and tenor ꝑof in all points And moreover Our Soveraign Lord and Eſtates of Parliament Wills and Grants and for his Majeſtie and His Royall Succeſsors Decerns Ordains and Declares that ꝑe ſamine ſhall be good valid effectual & ſufficient rights and ſecurities to the ſaid Sir Colline and James Campbells & ꝑ forſds in manner & conform to the tenor of the said Chartor above mentioned for bruiking and enjoying the forſds haill lands prin^tt. and warrandice Barrony Burgh of Barrony ārents forreſt office of Juſticiary teynds and others particularly and generally above mentioned and uptakeing the haill maills duties kains cuſtomes caſualities & profites of ꝑe ſamine and uſeing and diſponeing therupon at their pleasures in all tyme comeing without any chagge claim stop trouble or impediment whatſomever to be aſked or moved by His Majeſtie and His Royall Succeſsors excepting only the Taxt ward blench and few duties abovesp̃eit mentioned & ſet down in the forſaid Chartor for now and ever Dispenseing with the generality forſaid and with the not inſerting of ꝑe Saſine following upon the forſaid Chartor hereintill verbatim and at length and which is herein holden as repeated brevitatis cauſa and with all other faults defects and imperfectiones of the ſaid Chartor and Infeftment or which may be proponed objected or alleadged againſt the validity thereof or of this preſent Ratification of the ſamine.

* The Charter under the Great Seal is here recited at large in the Record.

RATIFICATION in favors of Sir Patrick Home of Lumſdene Advocat of the Lands and Barony of Lumsdene

57 OUR SOVERAIGN LORD with the advyce and conſent of the Eſtates of Parliament has Ratified Approven and perpetually Confirmed and does hereby Ratifie Approve and perpetually Confirme the Chartor underwritten Granted by His Majeſtie under the Great Seal of His ancient Kingdom of Scotland of the date at Kenſingtoun the twenty eight day of February I^m vj^c and nynety fyve years to and in favors of Sir Patrick Home of Lumſdene Advocat and his airs reſ̃ive after mentioned Of all and haill the Lands Barrony and others after ſpecified of which Chartor the tenor follows *

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Togither with the Precept of Saſine abovewritten and Inſtrument of Saſine following or competent to follow therupon in all and sundry the haill heads articles points clauſes and conditions whatſomever aboveſpēit mentioned in the ſaid Chartor and after the forme & tenor therof in all points Lykeas His Majeſtie with advyce and conſent of the ſaid Eſtates of Parliament Wills Grants and Ordains that the saids Lands and Barrony of Lumſdene comprehending as is above mentioned (except the ſaids Lands of Whytechester and Rigfoot which holds few in manner above ſpecified) shall be holden by the said Sir Patrick Home and his forſaids of His Majeſtie and his Succeſsors Kings or Queens of Scotland in Taxtward and Relief in all tyme comeing And farder Statutes and Ordains that the forſaid Charter with the Precept of Saſine therin contained and Inſtrument of Saſine following or competent to follow therupon and remanent rights and ſecurities made to the ſaid Sr Patrick Home and his forſaids are and ſhall be ſufficient & valid rights and ſecurities to them for bruiking. and enjoying the ſaids haill Lands Barrony and others above written in all tyme coming To be holden reſ̃ive in manner forſd any Acts Statutes or Cuſtomes made or to be made in the contrare notwithſtanding wheranent His Majeſtie with conſent forſaid for him and his Succeſsors has diſpenſed & hereby diſpenſes for ever.

RATIFICATION, in favors of John Stewart of Inuernytie of the Barony of Inuernytie

58 OUR SOVERAIGN LORD and Eſtates of Parliament preſently conveened by His Majeſties speciall order and authority have Ratified and Approven and be thir preſents Ratifies and Approves ane Chartor made and past under his Majeſties Great Seal dated the twenty eight day of February I^m vj^c and nynety fyve years in favors of John Stewart of Inuernytie and his neareſt and lawfull airs male Q^lks failzieing to his airs or aſsigneys whatſomever heretably and irredeemably wherof the tenor followes *

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Togither with the Inſtrument of Saſine following or competent to follow therupon in all and sundry heads points articles clauſes of Erection and change of holding and others ſpēit and contained in the ſd Chartor Precept and Inſtrument of Saſine And His Majeſtie with advyce and conſent of ꝑe Eſtates of this present Parliament Statutes & Ordains that the said Chartor Precept and Inſtrument of Saſine ſhall ſtand and ſubſiſt and be good valid and ſufficient rights to the ſaid John Stewart of Inuernytie and his forſds conform to the tenor therof in ſo far as concerns the intereſt of his Majeſtie or his Royall Succeſsors Wheranent his Mātie with advyce and conſent forſd for himſelf and his Succeſsors doth hereby expreſsly diſpenſe and that the same ſhall never be revocked nor quarrelled by his Majeſtie or his Succeſsors in tyme comeing.

RATIFICATION in favors of James Montgomery younger of Lainshaw of the Lands of Over Caſsiltoun &c.

59 OUR SOVERAIGN LORD with advyce and conſent of the Eſtates of this preſent Parliament Ratifies and Approves and for his Majeſtie and his Succeſsors perpetually Confirms the Chartor and Infeftment granted by his Majeſtie and his Royall Conſort the deceiſt Queen Mary for themſelves as King and Queen and as Prince and Stewart of Scotland &c. with advice and conſent of the Lords and others of the Thēſaury and Exchēq^r for the tyme of the date the tenth day of March I^m vj^c and nynety three years to his Majeſties lovit James Montgomery younger of Lainſhaw Clerk to his Majeſties Juſticiary his airs and aſsigneyes whatſomever heretably and irredeemably Of all and haill the fourty shilling Land of old extent of Over Caſsilltoun with parts and pertinents of the samine and with the teynds perſonadge and vicaradge therof with the mannor place houſes biggings yeards orchyeards and pertinents lying in the paroch of Stewartoun Bailliary of Cuninghame and Sheriffdom of Air with the annuity for the teynds of the forsaid Lands Which annuity was acquired by David Montgomery elder of Lainſhaw from the deceiſt John Earl of Loudoun Which Chartor

* The Charter under the Great Seal is here recited at large in the Record.

* The Charter under the Great Seal is here recited at large in the Record.

proceeds upon the Reſignation of the ſaid David Montgomery and upon two ſeverall Adjudications particularly therin mentioned wherunto the ſaid James Montgomery had acquired right As alſo ane Diſpoſition and Alienation of the date the Twenty ſecond day of October I^m^ vj^c^ and nynety two years made given and granted by the ſaid David Montgomery of Lainſhaw to and in favors of the ſaid James Montgomery his airs ſucceſsors and aſsigneyes whatſomever heretably and irredeemably of all and ſundry the Lands mylns teynds annuities and others therin expreſt and ſpecially but prejudice of the generality forſd of all and haill the advocation donation and right of patronage to the Kirk and Cure of the parochine of Stewartoun with the Iſle and ſeats in the ſaid kirk commonly called Lainſhawes Iſle and ſeats with all and ſundry their reſpective mannor places houſes biggings yeards orchyeards parts pendicles and univerſall pertinents of the Lands mylnes teynds and others therin ſpecit all lying within the parochine of Stewartoun Bailliary of Cuningham and Sheriffdom of Air Togither with the Precepts of Saſine inſert in the forſaid Chartor and Diſpoſition and Inſtruments of Saſine following therupon With the haill Chartors Infeftments and other rights of the forſd patronadge granted by our ſaid Soveraign Lord or his Royall Predeceſsors to the Earls of Eglintoun and the rights therof made by them to the ſaid David Montgomery of Lainſhaw and his Predeceſsors And farder Our ſaid Soveraigne Lord with advyce and conſent forſaid of the Eſtates of this preſent Parliament Ratifies and Approves and for himſelf and his Succeſsors with advyce and conſent forſaid perpetually Confirms to the ſaid James Montgomery and his forſaids ane Decreit of Prorogation dated the Twelfth day of December I^m^ vj^c^ and fourty nyne years wherby there is mention made of ane tack of the teynd ſhaves and other teynds as well perſonage as viccarage fruits rents emoluments and duties of the kirk of Kirkmichaell in Carrict within the diocie of . Togither with the kirklands of the ſaid viccarage (excepting to the Miniſter his manſe and gleib) which tack was to begin for the Cropt and year of God I^m^ vj^c^ and fyfeteen years and was ſet by William Biſhop of Galloway and Dean of ꝑe Chappell Royall of Stirling to the deceiſt Neill Montgomery of Lainſhaw for all the dayes of his lyfetyme and after his death to his airs male and aſsigneyes for the ſpace of nyneteen years And that for payment of four hundred merks yearly at the terms of payment therein expreſt And in regaird that the Tack duty was augmented to be three chalders of meal of the met and meaſure of Carrict with fyve hundred thirty ſix pounds of money and fifty merks for the Communion Elements to be payed out of the perſonadge and viccarage teynds of the ſaid parochine wherof the ſaid Neil Montgomery was Tackſman Therefor the then Commiſsioners for plantation of kirks and valuation of teynds according to the power and warrant given to them and contained in the Act of Parliament bearing their Commiſsion Added unto the ſpace and years that were then to run of the ſaid Tack and of the prior Prorogations therof three lyfetymes and three nyneteen years farder of the ſaid teynds contained in the tack abovewritten and prorogations And therefore they Set and in Tack and aſsedation did Let to the ſaid Neill Montgomery of Lainſhaw his airs and aſsigneyes dureing all the dayes ſpace years and terms of the lyfetyme of the air male in whoſe perſon the forſd Tack and prorogation therof ſhould happen to be ſtanding at the expireing of the years that were then to run therof And after his deceiſs to his air male or other lawfull air dureing all the dayes of his lyfetyme And after his death to the second air his air male or other lawfull air dureing all the dayes of his lyfetyme And after the deceiſs of the ſaid third air to his airs and aſsigneyes whatſomever dureing all the dayes years and terms of three nyneteen years All and ſundry the ſaid teynd ſheaves and other teynds as well perſonage as viccarage fruits rents emoluments and duties of the ſaid Kirk of Kirkmichaell Togither with the Kirklands of the ſaid viccarage Excepting as is before excepted Paying yearly to the Miniſter ſerveing the Cure at the ſaid kirk of Kirkmichaell the ſaid three Chalders of meall and fyve hundred thirty ſex pounds of money and fifty merks for the Communion Elements at the terms therin mentioned As alſo the ſaid Commiſsioners did thereby Declare that the ſuſpenſion of ꝑe entry of the forſaid eiked Tack and years therof abovewryten during the years to run of the former Tack and prorogation therof ſhould be no derogation to the validity of the ſaid eiked Tack In all and ſundry points articles circumſtances and conditions contained in the ſaid Chartor and Diſpoſition Precepts of Saſine therin and Inſtruments of Saſine following therupon and other wryts abovementioned granted to the ſaid Earle of Eglinton or his predeceſsors and be him to the ſaid David Montgomery or his authors as alſo contained in the forſaid decreit of prorogation and in the originall Tack and prior prorogations therof after the forms and tenors of the ſamine in all points And His Majeſtie with advyce and conſent of the Eſtates of this preſent Parliament Statutes and Ordaines the forſaid Chartor and Diſpoſition with the other wryts of the right of patronadge abovеſpecified granted to the Earls of Eglington and be them to the Lairds of Lainſhaw with the Precepts of Saſine contained in the ſamine Chartor and Diſpoſition and Inſtruments of Saſine following therupon with the Decreit of Prorogation of the teynds abovеſpecified and the originall Tack and former prorogations therof abovewritten to ſtand and ſubſiſt and to be good valid and ſufficient rights to the ſaid James Montgomery and his forſaids in ſo far as concerns

the intereſt of his Majeſtie and his Royall Succeſſors Kings Princes and Stewarts of Scotland and that the same or any one or moe therof ſhall never be revocked nor quarrelled be his Majeſtie nor his Succeſsors in tyme comeing And farder his Majeſtie Wills & Grants and for himſelf and his Succeſsors with advyce and conſent forſaid of the Eſtates of this preſent Parliament Decerns and Ordains this preſent Ratification to be as valid effectuall and ſufficient to the said James Montgomery and his forſaids as if the said Chartor and Diſpoſition Precepts of Saſine therin contained and Inſtruments of Saſine following therupon and the forſd other wryts granted to the ſaid Earls of Eglintoun and be them to the ſaid Lairds of Lainſhaw and the forſaid Decreit of Prorogation with the originall Tack and former prorogation therof were herein at length de verbo in verbum ſpecially inſert & ingroſsed Wheranent Our ſaid Soveraign Lord with advyce and conſent forſaid for himſelf and his ſucceſsors has diſpenſed and by thir preſents diſpenſes for ever:

RATIFICATION of ane Letter of Gift for making of Sail Cloth in favors of Mr James Melvill of Halhill Robert Master of Burghlie and James Melvill of Caſsingray

60 OUR SOVERAIGN LORD and Eſtates of Parliament preſently Conveened by his Majeſties speciall order and authority have Ratified and Approven and by thir presents Ratifies and Approves ane Prorogation and Ratification of ane Letter of Gift for makeing saill cloath within the Kingdom of Scotland made and granted by his Majeſtie to Mr James Melvill of Hallhill Robert Maſter of Burleigh and James Melvill of Caſsingray and any others whom the said Mr James Melvill ſhall aſsume for the space therin mentioned Q^t^of the tenor followes GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq^z^ defenſor Omnibus probis hominibus ſuis ad quos preſentes Literæ noſtræ pervenerint Salutem Quandoquidem Nos conſiderantes quod per Literas noſtras donationis ſub magno noſtro ſigillo de data primo die menſis Januarij anno domini Milleſimo Sexcenteſimo Nonageſimo Quarto Dedimus et Conceſsimus Magiſtro Jacobo Melvill de Hallhill Roberto Magiſtro de Burleigh et Jacobo Melvill de Caſsingray talibuſq^z^ aliis quos præfat^e^ Magiſtro Jacobo Melvill ſibi aſsumere et per ſcriptum ſub manu ſua appunctuare viſum fuerit Quequidem perſone beneficio prædicte donationis tam plenarie poſsiderent et gauderent quam ſi eorum nomina in eadem expreſse inſererentur eorumq^z^ Heredibus et aſsignatis plenam Poteſtatem Libertatem et privilegium Efficiendi pannum velarem lie Sail Cloath infra antiquum Regnum noſtrum Scotiæ et hoc pro ſpatio septem annorum immediate poſt datam dicti diplomatis Prohibendo omnes alias perſonas quaſcunq^z^ ab intrando in Societates pro Conficiendo et Vendendo panno velari lie Saill Cloath infra dictum Regnum durante spatio antedicto Cum poteſtate præfato Magiſtro Jacobo Melvill ejuſq^z^ prædict^e^ omnes tranſgreſsores secundum Legem proſequendi Et promiſimus prædictam donationem in proxima Seſsione seu cujuſvis subſequentis Parliamenti Ratificare et Confirmare Ac Declaramus quod per dictam Ratificationem idem privilegium poteſtas libertas et immunitates quæ conceſſ^z^ fuerunt per tria acta prioris ſeſsionis Parliamenti immediate precedeñ in favorem manufactorii panni lanei manufactorii panni villoſi lie Baiz cloath et manufactorii panni linei prefatis Magiſtro Jacobo Melvill Roberto Magiſtro de Burleigh et Jacobo Melvill de Caſsingray alijſq^z^ quos præfat^e^ Magiſtro Jacobo Melvill viſum fuerit in dict^e^ Manufactoriam et Societatem eorumq^z^ prædict^e^ aſsumere extenderentur et concederentur Quodq^z^ eorum Societas omni tempore futuro Societas Panni velaris vocaretur Proviso omnimodo quod ſi prefat^e^ Magiſter Jacobus Melvill reliqueq^z^ perſone supramentionat^e^ earumq^z^ predict^e^ infra ſpatium trium annorum poſt datam predict^e^ diplomatis in dictam Societatem non intrarent et prædict^e^ manufactoriam panni velaris erigerent Tunc et in eo caſu prædict^e^ diploma vacuum nullum nulliuſq^z^ effectus futurum erit prout idem amplius proportat Et similiter Nos conſiderantes dictam operam^e^ conficiendi panni velaris novam et difficilem eſse ita ut eadem effectuari nequeat nec ad quamvis maturitatem ſeu perfectionem pervenire neq^z^ prædict^e^ Societas et manufactoria tam brevi tempore ac per dict^e^ Commiſsionem preſcriptum et appunctuatum eſt erigi poſset Igitur Nos cum ſpeciali aviſamento et conſenſu prædilectorum noſtrorum Conſanguineorum et Conſiliariorum Joannis Marchionis de Tweeddale Summi Cancellarij Regni noſtri Scotiæ Jacobi Ducis de Queenſberry Archibaldi Comitis de Argyle Gulielmi Comitis de Annandale Alexandri Domini Raith Theſaurarij deputati et Domini Joannis Maxwell de Pollock Commiſsionariorum noſtri Theſaurarij nec non cum conſenſu reliquorum Dominorum aliorumq^z^ noſtri Scaccarij dict^e^ Regni Commiſsionariorum non solum Ratificavimus Approbavimus et in perpetuum Confirmavimus ſicuti per preſentes Ratificamus Approbamus et in perpetuum Confirmamus prædict donationem conceſsam prænominatis Magistro Jacobo Melvill Roberto Magiſtro de Burleigh et Jacobo Melvill de Caſsingray eorumq^z^ antedict^e^ cum variatione omnimodo ſubſcripta in integris capitibus clauſulis et contentis ejuſd Sed etiam Prorogavimus sicuti per preſentes Prorogamus prædict^e^ Literam donationis et spatium per eandem etiam conceſſ^z^ pro conficiendo dicto panno a ſpatio ſeptem annorum ad ſpatium novemdecem annorum proxime et immediate datam preſentium sequeñ Perq^z^ preſentes Declaramus Quod etiam

ſi per predictam donationem providetur quod ſi dict[o] Societas et manufactoria panni velaris intra ſpatium trium annorum poſt datam ejuſdem non erigeretur eadem in ſe vacua et nulla eſset Attamen Nos cum aviſamento et conſenſu prædict[o] per preſentes Prorogamus prædict[o] spatium trium annorum ad ſpatium septem annorum immediate sequeñ diem et datam preſentium Ac Declaramus quod licitum et legitimum erit præfatis Magiſtro Jacobo Melvill Roberto Magistro de Burleigh et Jacobo Melvill de Caſsingray eorumq, præſcript[o] Societatem et Manufactoriam panni velaris antedict[o] quovis tempore intra ſpatium septem annorum poſt datam preſentium Erigere eandemq, operam panni velaris pro ſpatio novemdecem annorum prædicto poſt datam preſentium continuare Cum integris privilegiis et Immunitatibus in prædicta Litera donationis contentis Dispensamus itidem cum generalitate prædict[o] eandemq, adeo ſufficientem quam ſi integra privilegia et Immunitates particulariter et generaliter in dict[o] priori donatione mentionat[o] particulariter Exprimerentur et inſererentur admittimus Et deniq, predict[o] Literam donationis cum hac preſenti noſtra Ratificatione et Prorogatione ejuſdem in preſenti ſeu proxima ſeſsione cujuſvis ſubſequentis Parliamenti infra dictum Regnum noſtrum Ratificare promittimus In Cujus Rei Teſtimonium preſentibus magnum ſigillum noſtrum appendi precepimus Apud aulam noſtrâm de Kenſingſoun duodecimo die menſis Martij anno domini Milleſimo Sexcenteſimo nonageſimo ſexto Regniq, noſtri anno Septimo Per Signaturam manu S. D. N. Regis ſupraſignat[o] Wryten on the back thus Wryteñ to þe great Seall and Reĝrat the Eight day of June 1696 Sic ſubſcribitur Dun. Ronald dpt[o] Sealled at Edinburgh the eight day of June 1696 Sic ſubſcribitur J Home IN ALL and ſundry heads points articles and clauſes of the samen And His Majeſtie with advyce and conſent of the Eſtates of this preſent Parliament Statutes and Ordains that the said Ratification and Prorogation of the forſaid gift of makeing Saill Cloath shall ſtand and ſubſist and be a good valid and ſufficient right to the said M[r] James Melvill Robert Maſter of Burleigh James Melvill of Caſsingray and their forſds for the haill ſpace abovewritten and that the ſame ſhall never be quarrelled by his Majeſtie or his Highneſs Succeſsors dureing the haill space abovementioned.

RATIFICATION in favors of the Principalls and other Maſters of S[t] Salvator and S[t] Leonards Colledges in the University of S[t] Andrews

61 OUR SOVERAIGN LORD with advyce and conſent of the Eſtates of Parliament Ratifies Approves and perpetually Confirms ane Act of His Majeſties Privy Councill in favors of the Principalls and Profeſsors of Philoſophy and Humanity of Saint Salvator & Saint Leonards Colledges in the Univerſity of Saint Andrews dated the seventh day of November I[m] vj[c] and nynety fyve years Whereby the said Lords Fand that the neat Rentall of the Product of the half moneths Ceſs granted by Act of Parliament to the said Univerſity (after deduction of all publict burdens except þe Ceſs) did Extend to ane hundred and fourty ſix pounds six ſhilling ſcotts of money and nyneteen Chalders ten bolls three furlats of victuall And appointed the samine to be divided among the forsaid Principalls and Regents of Philoſophie and Humanity in manner following viz. To each of the ſaid two Principalls Seventy three pounds three ſhilling of money and thirty three bolls one furlat two pecks victuall And to each of the eight Regents of Philoſophy Twenty ſeven bolls victuall and to each of the two Regents of Humanity Sixteen bolls Amounting in all to the money and victuall abovementioned And ordained the first terms payment of the said Principalls and Regents their shares of the said Rent to be payed to them betwixt Yuill and Candlemaſs for the cropt and year I[m] vj[c] and nynety fyve years and so furth yearly in tyme comeing As also ane other Act be the said Lords of his Majeſties Privy Counſell in favors of the sd Principalls and haill other Maſters of Saint Salvator and S[t] Leonards Colledges in the said Univerſity of S[t] Andrews dated the sixth day of February I[m] vj[c] and nynety ſix years Whereby the said Lords appointed the diviſion of the Rents mentioned in the forſaid firſt act of Privy Counſell to commence from the said Principalls and haill other Maſters their Entries to their reŝive profeſsions And appointed the factors and others lyable in payment to make payment of the samine for all reſts as well of all years and terms bygone as in tyme comeing proportionally among the said Principalls and haill other Maſters conforme to the diviſion mentioned in the forſaid firſt act of Privy Councill In all and sundry heads clauſes articles tenors and contents of the samine whatſomever And His Majeſtie and the said Eſtates of Parliament Declare Decern and Ordain That this preſent generall Ratification ſhall be as valid effectuall and ſufficient in all reſpects as if the said two Acts of Privy Councill were herein verbatim inſert And which His Majeſtie and Eſtates of Parliament holds as a part hereof and herein expreſt brevitatis cauſa Whereanent His Majeſtie and Eſtates of Parliament have dispensed and for ever dispenses.

RATIFICATION in favors of Ann Dutcheſs of Hamilton of the Teynds of Cambusnethan

62 OUR SOVERAIGN LORD with the ſpeciall advyce and conſent of the Eſtates of Parliament Ratifies Approves and perpetually Confirms ane Chartor under the great Seall of this Kingdom of the date underwritten made and granted by his Majeſtie to Ann Dutcheſs of Hamilton &c. and her heirs male tailzie and provision contained in the rights and tailzie of the Eſtate of Hamilton heretably of all and ſundry the teinds underwritten of which Charter the tenor follows GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; defenſor Omnibus probis hominibus totius terræ ſuæ Clericis et Laicis Salutem Sciatis Nos regali animo Recolentes quod decimæ garbales rectoriæ et viccariæ Eccleſiæ parochialis et parochiæ de Cambusnethen jaceñ infra vicecomitatum noſtrum de Lanerk peꝛprius pertinuerunt ad nuperum Archiepiſcopum de Glaſgow et nunc ceciderunt et devenerunt in manibus noſtris et ad noſtram donationem et diſpoſitionem virtute nuperi acti Parliamenti Episcopatus Statum abolieñ Ac etiam Conſiderantes nostram confiſam et prædilectam Conſanguineam Annam Duciſsam de Hamilton et Chaſtlerault &c. ejuſq; prædeceſsores amicos et gratos fuiſse aſsedatores Decimarum dictæ parochiæ ultra centum annos præteritos Et quoq; Considerañ multa præclara et inſignia ſervitia per quondam Gulielmum Ducem de Hamilton unum prædeceſsorum dictæ Duciſsæ nobis noſtriſq; prædeceſsoribus facta et præstita Ideoq; Nos cum speciali aviſamento et conſenſu nostrorum confiſorum et prædilectorum Conſanguineorum et Conciliariorum Joannis Marchionis de Tweeddale summi antiqui Regni nostri Scotiæ Cancellarij Jacobi Ducis de Queenſberry Archibaldi Comitis de Argyle Gulielmi Comitis de Annandale Alexandri Domini Raith nostri Theſaurarij Deputati et Domini Joannis Maxwell de Pollock nostri Theſaurarij Computorum et Theſaurarij novarum Augmentationum infra dictum Regnum Commiſsionariorum Ac etiam cum aviſamento et conſenſu reliquorum Dominorum aliorumq; noſtri Scaccarii Commiſsionariorum Disuniviſse sicuti Nos per hanc preſentem Cartam noſtram cum conſenſu prædicī Disuinire dictas Decimas Rectorias et Viccarias prædictæ Eccleſiæ parochialis et parochiæ de Cambuſnethen a dicto Archiepiſcopatu Glasguenſe et beneficio ejuſd ad quem dictæ Decimæ prius unitæ fuerunt Et cum conſenſu prædicī Dediſse Conceſsiſse et Diſpoſuiſse tenoreq; preſentis Cartæ noſtræ Dare Concedere et Diſponere ad et in favorem noſtræ confiſæ et prædilectæ Conſanguineæ Annæ Duciſsæ de Hamilton et heredum ejus maſculorum talliæ et proviſionis in Juribus et Talia Status de Hamilton content hereditarie Omnes et Singulas Decimas Garbales tam Rectorias quam Viccarias dictæ Eccleſiæ parochialis et parochiæ de Cambuſnethen Idq; pro hac inſtanti cropta et anno Milleſimo Sexcenteſimo et Nonageſimo Sexto et in omni tempore futuro una cum aſsedationis Decimarum Divoria perprius solvi uſit ex predicī Decimis ad Archiepiſcopum Glasgueñ Idq; pro toto ſpatio et annis in aſsedationibus deſuper conceſs contenī Una cum omni Jure titulo intereſse Jurisclameo proprietate et poſſeſsione quæ nos habuimus habemus aut ullo modo habere clamare aut pretendere poterimus ad dict Decimas aut aſsedationis Divoriam ex ijſdem ſolvi debiī et conſueī omni tempore futuro virtute dicti acti Parliamenti Epiſcopat abolieñ aut quocunq; alio modo quō dictæ decimæ Rectoriæ et Viccariæ nunc devenerunt aut in futurum devenient in manibus noſtris et ad noſtram Donationem et Diſpoſitionem in omni tempore futuro Et Volumus et Concedimus proq; Nobis et Succeſsoribus noſtris decernimus et ordinamus Saſinam nunc et omni tempore futuro per dictam Duciſsam de Hamilton ejuſq; prædicī Capiend ad oſtium dicī Eccleſiæ parochialis de Cambuſnethen per deliberationem terræ et Lapidis fundi dicī terrarum et manipuli graminis et frumenti ut moris eſt fore ſufficieñ ſaſinam pro dicī integris Decimis Rectorijs et Viccarijs dictæ Eccleſiæ parochialis et parochiæ de Cambuſnethen abſq; ulla alia ſaſina per eam Capiend ſuper ullam aliam partem dicī terrarum et abſq; ullis aliis Solemnitatibus quibuſcunq; Circa quas Nos cum conſenſu prædicī Diſpenſavimus et per preſentem Cartam noſtram in perpetuum Diſpenſamus Tenend et Habend Omnes et Singulas Decimas Garbales aliaſq; Decimas Rectorias et Viccarias dicī Eccleſiæ parochialis et parochiæ de Cambuſnethen præfatæ Annæ Duciſsæ de Hamilton ejuſq; prædicī de nobis noſtriſq; ſucceſsoribus in libera all a firma et hereditate in perpetuum per omnes rectas ſuas metas antiquas et diviſas libere quiete plenarie integre honorifice bene et in pace ſine ulla Revocatione contradictione ſeu obſtaculo aliquali Reddendo inde annuatim dicta Anna Duciſsa de Hamilton ejuſq; prædicī Nobis et Succeſsoribus noſtris pro dicī Decimis Rectorijs et Viccarijs unum denarium monete hujus Regni noſtri Scotiæ super ſolum dicī terrarum nomine albe firme ad feſtum Penteco ſtes annuatim si petatur tantum Ac etiam solveñ Miniſtro dicī Eccleſiæ parochialis annuale Stipendium inſtanter illi ex dicī Decimis modificatum Et Liberand et Relevañ Nos et noſtros Succeſsores de eōdem et de omnibus oneribus quibus dicī decimæ affectari poterint aut quibus ſubjectæ erint omni tempore futuro Et hoc pro omni alio onere exactione queſtione demanda ſeu ſervitio seculari quæ ullo modo ex dictis Decimis juſte exigi poterint vel requiri omni tempore futuro Insuper Vicecomiti Vicecomitatus noſtri de Lanerk et Ballivis ſuis nec non dilectis noſtris et eorum cuilibet conjunctim et diviſim Vicecomitibus noſtris

Vicecomitatus de Lanerk in hac parte ſpecialiter conſtituť ſalutem Vobis Præcipimus et Mandamus quatenus præfať Annæ Duciſsæ de Hamilton vel ſuo certo acturnato Latori preſentium Saſinam totarum et integrarum prædicť Decimarum Garbalium aliarumq; Decimarum Rectoriarum et Vicariarum dicť Eccleſiæ parochialis et Parochiæ de Cambuſnethen jaceñ ut supra secundum formam et tenorem antedicť Cartæ noſtræ quam de nobis inde habet et Diſpenſationis prædicť juſte haberi faciatis ſine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et diviſim Vicecomitibus noſtris Vicecomitatus de Lanerk in hac parte antedicť committimus potestatem In Cujus Rei testimonium huic preſenti Cartæ noſtræ magnum Sigillum noſtrum appendi mandavimus Testibus prædilecto noſtro Conciliario et Conſanguineo Carolo Comite de Selkirk nobis ab Archivis et Registris Clerico dilecto noſtro Conciliario Adamo Cockburn de Ormiſtoun noſtro Juſticiario Clerico et dilecto noſtro Domino Carolo Ker noſtræ Cancellariæ Directore Apud Aulam noſtram de Kenſingtoun vigeſimo octavo die menſis Aprilis anno Domini Milleſimo Sexcenteſimo Nonageſimo Sexto Written to the Great Seal and Regiſtrat the thirteenth day of August 1696, Sic Subscribitur Dun: Ronald Dpť Sealled at Edinburgh the fifeteenth day of Auguſt 1696 Sic ſubſcribitur J Home. AND His Majestie and Estates of Parliament foresaid Do also Ratifie and Approve the foresaid Precept of ſeasine contained in the ſaid Charter with the Inſtrument of ſeasine following or competent to follow thereupon in favors of the said Dutcheſs and her foresaids in the haill heads points articles and contents thereof after the forme and tenors of the ſamen And moreover Our ſaid Soveraign Lord with advice and conſent of his said Eſtates of Parliament Wills Grants Decerns and Ordains the forsaid Charter with the Precept of ſeasine aboveinſert therein contained and Inſtrument of ſeasine following or to follow on the ſamen to be good valid and ſufficient rights and titles to the ſaid Ann Dutches of Hamilton and her heirs male of tailzie and proviſion abovementioned for poſſeſsing bruiking and enjoying the forementioned teind ſhaves and other teinds personage and viccarage of the said Paroch Kirk and Parochine of Cambuſnethen and for uplifting intrometting with and diſpoſeing upon the teind tack Duties thereof diſponed by vertue of the ſamen Charter in manner and conform to the tenors of the ſamen without any stop hinderance or impediment to be moved by His Majestie and his Royall ſucceſsors thereanent And Declares that the ſame ſhall never be revocked or quarrelled by Our ſaid Soveraigne Lord nor his forsaids in time comeing Reſerveing allways to them the Blench duty abovewritten payable according to the ſaid Charter to them in manner aboveſpecified and also Reſerving to the ſaid Miniſter preſent and to come ſerveing the Cure at the ſaid paroch Kirk of Cambuſnethen the yearly Stipend modified to him furth of the ſaid Teinds conform to his rights thereto Likeas His Majestie and the ſaid Eſtates Do by thir prefents expreſsly Dispense with the not inſerting and ingroſsing verbatim and at lenth in this preſent Ratification the Seasine on the forſaid Charter and with all other defects faults and imperfections (if any be) of the ſamen Charter and ſeaſine and of this ſaid Ratification of the same..

THE Warrands for the following Acts for and concerning Fairs and Weekly Mercats in favors of Her Grace Ann Dutches of Hamilton and the ſeverall other persons afternamed were Read and Granted Fairs and Mercats

NOTA All the Acts of Ratifications before inſert and all the following Acts for Fairs and Mercats were paſt and Granted this twelvth day of October 1696 before any other matter was moved and handled in Parliam' although the ſamen Ratifications and Acts for Fairs be here regrat after the other Acts paſt this day.

ACT in favors of Ann Dutches of Hamilton for changeing the fair at the town of Strathaven.

OUR SOVERAIGN LORD considering that 63
by former Rights granted in favors of His Majeſties Right Trusty Couſine Ann Dutches of Hamilton &c. there is given to her Grace and her airs &c. ane free fair to be holden upon the twelvth day of October yearly at the Toun of Strathavan beloriging to her lying in the shyre of Lanerk And that it is now found by experience that the changeing of the said fair in manner underwritten will tend much both to the eaſe of His Majeſties Leidges in uſe to reſort therto and to the advantage of the place Therefor Our said Soveraign Lord with advyce and conſent of the Eſtates of Parliament have Changed and hereby Changes the said fair from the said twelvth day of October to the twenty sixth day of the samine moneth yearly and hereby Ratifies and Renues the said Dutches of Hamilton her former Rights to the said fair with the abovewritten alteratione And appoints the said fair in all tyme comeing to be holden and keeped upon the forſd Twenty sixth day of October yearly.

ACT in favors of the Marques of Athol for two weekly mercats at Blair of Athole & Dalgairn in Stratharle

64 OUR SOVERAIGN LORD considering that it is expedient for the advancement and encouragement of Trade within this Kingdom that there be yearly fairs and weekly mercats appointed in ſeverall places þ'of moſt conveniently ſituat for that purpoſe And that the Blair of Athol in Perthſhyre and the Toun of Dalgairn in Stratharle both belonging to John Marques of Athole are moſt conveniently situat for haveing þe weekly mercats underwritten keept therat not only to the advantage of the place & advancement of trade therin but alſo to the eaſe of His Majeſties ſubjects inhabiting the places adjacent þ'to Therefor Our said Soveraign Lord with advyce and conſent of the Eſtates of Parliament Gives and Grants to the said Marques of Athol his airs and ſucceſsors for ever the priviledge of holding & keeping two weekly mercats one at the said Blair of Athol and þe other at the said Toun of Dalgarne upon each Fryday for horſe nolt & other merchandiſe With the haill Tolls Cuſtomes and Caſualities of the ſd mercats With power to the said Marques & his forſds to hold both the ſd two weekly mercats upon þe day forſd and to make such orders for the right regulation therof as they shall think fit, and to take uplift uſe and diſpoſe upon the caſualities therof abovesp̃eit and to do all other things competent to be done in the lyke caſes by any haveing the priviledge of weekly mercats within this Kingdom.

ACT in favors of Sir John Shaw of Greenock for three yearly fairs at the town of Greenock

65 OUR SOVERAIGN LORD considering that the appointing of yearly fairs and mercats in severall places of the Kingdom conveniently situat for that purpoſe will exceedingly tend to the advancement & encouragement of trade þ'in advantage þ'of and eaſe of the Leidges And that the Toun of Greenock belonging to Sir John Shaw of Greenock lying within the ſhyre of Renfrew lyes commodiouſly for haveing þe fairs and mercats underwritten keept therat to þe ends ãſp̃eit Therefor His Majestie with advyce & conſent of the Eſtates of Parliament Gives & Grants to the said Sir John Shaw his airs and Succeſsors for ever the right and priviledge of Three free fairs yearly to be holden at the said Toun of Greenock one upon the firſt Wedneſday of January for horſe cowes and other merchant goods with a horſe mercat to be keept there every Thurſday after the said firſt Wedneſday of January till þe midle of March yearly The second fair to be holden upon þe third Wedneſday of Apryl at the ſd Toun yearly for cowes and other merchant goods The third fair to be holden upon þe second Wedneſday of Auguſt at þe ſd Toun yearly for cowes & all other cattle and merchant goods And the haill priviledges profites tolls cuſtomes and caſualities of the said fairs and mercats with power to the said Sir John Shaw and his forsaids by themſelves and others in their names to cauſe proclaim and ryde the said fairs and to make such orders and directions for þe right government therof as they think fit and to take uplift and diſpoſe upon the said profites tolls cuſtomes and caſualities of the samine with all confiſcations and amerciaments ariſeing by any thifts ryots bloods and battaries that may happen to fall out therat and to do all other things competent in þe lyke caſes to be done by any haveing þe right and priviledge of keeping free fairs and mercats within this Kingdom.

ACT in favors of Alexander Forbes of Ludquhairn for three yearly fairs at Lennabo in Aberdeenshire

OUR SOVERAIGN LORD considering that 66
it is expedient for the advancement and encouragement of Trade and Commerce within this Kingdom that there be yearly fairs and weekly mercats appointed in ſeverall places thereof moſt fit for þ' end And also considering that the Toun of Lenabo belonging to Alexander Forbes of Ludquhairn lying within the parochine of Langſyde and ſheriffdom of Aberdeen is moſt commodiouſly situat for haveing þe fairs underwritten keept þ'at for þe eaſe of the Leidges beneſite of the place and advancement of trade therin Therefor His Majeſtie with advyce & conſent of the Eſtates of Parlia' has Given and Granted and hereby Gives and Grants to þe said Alexander Forbes his airs & ſucceſsors for ever the right and priviledge of three free fairs to be holden yearly at the said Toun of Lennabo The one þ'of to be holden upon þe third Teuſday of March yearly and to continue þe whole week for horſes nolt ſheep & all other vendible commodities The second fair to be holden upon the third Teuſday of June yearly And the third fair to be holden upon the third Teuſday of November at þe same place and for þe same commodities. With the haill priviledges profites tolls cuſtomes and caſualties of the said fairs with power to the said Alex' Forbes and his forſds by themſelves or others in their names to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to exact uplift and diſpoſe upon the profites tolls cuſtomes and caſualities ãſp̃eit of the ſamine with all confiſcationes and amerciaments ariſeing by any thifts ryots bloods and battaries þ' may fall out therat and to do all other things competent in

þe lyke caſes to be done by any haveing þe right & priviledge of keeping free fairs and mercats within this Kingdom.

ACT in favors of the Burgh of Anſtruther Easter for changeing the fair of the said Burgh

67 OUR SOVERAIGN LORD considering that by former rights granted in favors of the Burgh of Anſtruther Eaſter there is given to the said Burgh ane free fair to be holden þat upon the first day of May yearly and that the changeing of þe ſd fair in manner afterſpëit will tend much to þe eaſe of þe Leidges uſed to reſort þto and to þe advantage & benefite of þe said Burgh & advancement of trade therin Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament have Changed & hereby Changes the ſaid fair from the forſaid firſt day of May to the twenty fourth day of June yearly appointing þe same to be keeped and held upon þe forſd day in all tyme hereafter And have Ratified and hereby Ratifie all the former rights of the said fair and haill priviledges and caſualities therof granted to the ſaid Burgh with the abovewritten alteration.

ACT in favors of Mr Robert Forbes senior Advocat for four yearly fairs at Torphins

68 OUR SOVERAIGN LORD considering that the appointing and settleing of fairs and mercats in severall places of the Kingdom conveniently situat for that purpoſe doth exceedingly tend to the advancement and encouragement of Trade therin advantage and benefite thereof and eaſe of His Maties Leidges And that the Toun of Torphins pertaining to Mr Robert Forbes senior Advocat lying in the ſhyre of Aberdeen and parochine of Kincardine of Neil lyes moſt commodiouſly for haveing þe yearly fairs aftermentioned keept therat Therefor His Majeſtie with advyce & conſent of the Eſtates of Parliament does hereby Give and Grant to the said Mr Robert Forbes his airs and ſucceſsors for ever the right and priviledge of four free fairs yearly to be holden at the ſaid Toun of Torphins for ſelling and buying all kinds of vendible commodities horſe nolt ſheep and other merchandice The firſt of the said fairs to begin upon the third Teusday of May and to continue the whole week to be called May fair The second to begin upon the laſt Teuſday of July to be called Summer fair. The third to begin upon the second Teusday of October to be called Harvest fair And the fourth to begin upon the firſt Teuſday of November to be called Winter fair With the haill priviledges profites tolls cuſtomes and caſualities of þe ſaid fairs With full power to the said Mr Robert Forbes. and his forſds by themſelves and others in their names to cauſe proclaim and ryde the sd fairs and make ſuch orders þanent as they think fit and to exact uplift and diſpoſe upon the profites tolls cuſtomes & caſualities aſpëit of the ſamine with all confiſcationes & amerciaments ariſeing by any thifts ryots bloods and battaries committed therat and to do all other things competent in þe lyke caſes to be done by any haveing þe right and priviledge of keeping free fairs and mercats within this Kingdom

ACT in favors of William Lord Bargany for two yearly fairs at the Kirktoun of Newdaylie

69 OUR SOVERAIGN LORD conſidering that the appointing and ſettleing of fairs and mercats in severall places of this Kingdom conveniently situat for that end doth greatly tend to the advancement and encouragement of Trade therin benefite & advantage therof & eaſe of His Maties Leidges And that the Kirktoun of Newdayly belonging to William Lord Bargany lying in the ſheriffdom of Air is a convenient place for þe holding þe fairs afterſpëit therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament does hereby Give and Grant to the said William Lord Bargany his airs and ſucceſsors for ever the right and priviledge of two free fairs to be holden and keeped yearly in all tyme comeing at the ſd Kirktoun of Newdayly One upon the firſt Teusday of June and the other upon the firſt Teuſday of September yearly for ſelling and buying of all kinds of vendible commodities with the haill priviledges profites tolls cuſtomes and caſualities of þe ſd fairs With full power to the said William Lord Bargany and his forſds by themſelves or others in their names to proclaim & ryde the said fairs and make ſuch orders þanent as they think fit and to exact uplift and diſpoſe upon the profits tolls cuſtomes and caſualities þof aboveſpëit With all confiſcationes and amerciaments ariſeing from any thifts ryots bloods and battaries that ſhall happen to be committed therat and to do all other things competent in the lyke caſes to be done by any ſubject within the Kingdom haveing þe priviledge of keeping free fairs.

ACT in favors of Sir Thomas Burnet of Leys for two yearly fairs at the toun of Cowie

70 OUR SOVERAIGN LORD considering that the appointing and settleing of fairs and mercats in diverſe plaees of the Kingdom fitly situat for that end doth greatly tend to the advancement of Trade therin advantage and benefite therof and eaſe of the Leidges And that the Toun of Cowie

in the shyre of Kincardin lyes conveniently for faires to be keept þ'at Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament Gives and Grants to Sir Thomas Burnet of Leyes to whom the ſd Toun of Cowie belongs and to his airs and Succeſsors for ever the right and priviledge of keeping two free fairs to be holden yearly in all tyme comeing at þe said place The firſt upon the laſt Teuſday and Wedneſday of June, And þe second upon the laſt Teuſday and Wedneſday of September yearly for all kinds of vendible commodities With the haill priviledges profites tolls cuſtomes and caſualities therof With power to the said Sr Thomas & his forſds by themſelves or others in þ^r names to cauſe proclaim & ryde þe ſd fairs and to make ſuch orders þ'anent as they think fit and to exact uplift uſe and diſpoſe upon the caſualities þ'of ãſpẽit and to do all other things competent to be done in þe lyke caſes as freely in all reſpects as any other haveing free fairs and mercats within this Kingdom has done or hereafter may doe.

ACT in favors of Frazer of Strichen for two yearly fairs at the Chapellmuir of Strichen

71 OUR SOVERAIGN LORD considering that the appointing and settleing fairs and mercats in diverſe convenient places of the Kingdom doth tend much to the advancement of Trade therin benefite and advantage þ'of and eaſe of His Maties Leidges And that the Chappellmuir of Strichen belonging to Frazer of Strichen lying in the shyre of Aberdeen is fitly situat for fairs to be keept therat Therefore His Majeſtie with advyce and conſent of the Eſtates of Parliament Gives and Grants to the ſaid Frazer his airs & ſucceſsors for ever the right and priviledge of two free fairs hereby appointed to be holden yearly in all tyme comeing at the said Chappellmuir of Strichen for selling and buying of all vendible commodities The firſt to be holden upon the laſt Teusday of Apryl And the second upon the firſt Teusday of July yearly and both the said faires to continue þe ſpace of three dayes With the haill profites priviledges tolls cuſtomes and caſualities therof With power to the said Frazer and his forſds by themselves or others in their names to cauſe proclaim and ryde the said fairs and make ſuch orders for the right governing thereof as they think expedient and to exact uplift uſe and diſpoſe upon the profites and caſualities therof ãſpẽit With all confiſcations and amerciaments ariſeing from any thifts ryots bloods and battaries that ſhall be committed therat, and to do all other things competent in þe lyke caſes to be done by any Subject within this Kingdom haveing the priviledge of keeping free faires.

ACT in favors of John Grant of Ballandalloch for three yearly fairs & a weekly mercat at Inveravan

72 OUR SOVERAIGN LORD considering that the ſettleing and eſtabliſhing of fairs and mercats in diverſe convenient places of the Kingdom doth greatly tend to the advancement of trade therin benefite and advantage þ'of and eaſe of the Leidges And that the place of Inueravan in the shyre of Elgin belonging to John Grant of Ballandalloch is fitly situat for haveing the fairs and mercat underwritten keept therat Therefor His Matie with advyce and consent of the Eſtates of Parliament does hereby Give and Grant to the said John Grant his airs and succeſsors for ever the right and priviledge of three free fairs to be holden yearly in all tyme comeing at the said place of Inueravan The firſt therof to be holden upon the second Teuſday of May yearly to be called . . fair The second to be holden upon the second Teuſday of July yearly to be called And the third to be holden upon the third Teuſday of September yearly to be called fair with a weekly mercat to be holden within the Kirktoun of Inueravan upon each Friday for all kind of vendible commodities Togither with the haill priviledges profites tolls cuſtomes and caſualities of the ſaid fairs and weekly mercat With power to the said John Grant and his forſds to keep and hold the said fairs and mercat and make such orders þ'anent as they think fit and to exact uplift and diſpoſe upon the caſualities therof abovesp̃eit and to do all other things competent to be done in the lyke caſes by any haveing þe priviledge of fairs and mercats within this Kingdom.

ACT in favors of Patrick Home of Westrestoun for two yearly fairs and a weekly mercat at the toun of Westrestoun

73 OUR SOVERAIGN LORD considering that the appointing of fairs and mercats in severall convenient places of the Kingdom does greatly tend to þe advancement of Trade therin advantage and benefite therof and eaſe of þe Leidges and that the Toun of Weſtreſtoun lying in þe ſhyre of Berwick belonging to Patrick Home of Weſtreſtoun is fitly situat for haveing the yearly fairs and weekly mercat underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament does hereby appoint two yearly fairs one upon the sixteenth day of June and the other upon the laſt day of October yearly and a weekly mercat upon Teuſday each week to be holden at þe ſd Toun of Weſtreſtoun for all kinds of vendible commodities And have given and

granted and hereby Gives & Grants to the ſd Patrick Home his airs and ſucceſsors for ever the right and priviledge of keeping & holding þe ſd fairs & mercat With the haill profites tolls cuſtomes & caſualities þ'of & competent to pertain þ'to With full power to him & them by themſelves or others in their names to cauſe proclaim & ryde the ſaid fairs and make ſuch orders anent þe ſame & þe ſd mercat as they think good and to exact uplift and diſpoſe upon the caſualities þ'of ãſpëit and to do all other things competent to be done in the lyke caſes by any haveing þe priviledge of fairs & mercats within this Kingdom.

ACT in favors of Patrick Murray of Livingstoun for three yearly fairs and a weekly mercat at the town of Blackburn

74 OUR SOVERAIGN LORD conſidering that the appointing of fairs and mercats in ſeverall convenient places of the Kingdom does greatly tend to þe advancement of Trade þ'in advantage þ'of and eaſe of the Leidges And þ' the Toun of Blackburn lying within the ſhyre of Linlithgow and belonging to Patrick Murray of Livingſtoun is fitly ſituat for haveing þe yearly fairs and weekly mercat underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament does hereby appoint Three yearly free fairs to be holden the firſt upon the firſt Teuſday of June the second upon the firſt Teuſday of Auguſt and the third upon the laſt Thurſday of October and a weekly mercat upon Thursday each week all at þe ſd Toun of Blackburn for all kind of vendible commodities And have Given and Granted and hereby Gives and Grants to the ſaid Patrick Murray his airs & ſucceſsors for ever the right and priviledge of keeping and holding the said fairs and mercat With the haill profites tolls cuſtomes and others competent to pertain thereto With full power to him and them by themſelves and others in their names to cauſe proclaim and ryde the ſaid fairs and make such orders theranent and anent the ſd mercat as they think good and to exact uplift and diſpoſe upon the caſualities therof ãſpëit and to do all other things competent to be done in the lyke caſes by any haveing the priviledge of fairs and mercats within this Kingdom.

ACT in favors of William Stewart of Castlestewart for changeing two fairs and a mercat at Newtounstewart

75 OUR SOVERAIGN LORD Considering that by a Chartor under the great ſeall of this Kingdom dated the firſt of July I^mo vj^cc & seventy seven Granted by King Charles þe Second in favors of William Stewart of Caſtlestewart of the Barony of Caſtlestewart & others therin expreſt there is given to the said William the power and priviledge to hold and keep within the Burgh of Newtoun Stewart lying within the ſhyre of Wigtoun ane weekly mercat upon Fryday and two free fairs yearly one upon the laſt Fryday of July and the other upon the firſt Fryday of November yearly and each of the ſd fairs to continue two dayes for buying and ſelling of horſe kyne ſheep victuall and all other goods and merchandiſe uſed and wont to be ſold in any other Burgh of Barony within this Kingdom With power to þe ſd W^m to uplift and diſpoſe upon þe haill Cuſtomes of þe ſaid weekly mercat and fairs as the ſd Chartor bears And also Considering that by the Laws of this Kingdom all mercats on Saturnday and Munday are diſcharged with which Lawes therfor the ſd fairs (being appointed to begin on Fryday and continue two dayes) doe not now agree And lykewayes that þe ſd weekly mercat on Fryday doth interfeir with the weekly mercats of severall other adjacent places And þ' therfor it will be more convenient for þe ſd Wm Stewart his airs & ſucceſsors men^t in þe ſd Chartor, and for þe good & eaſe of þe Leidges reſorting to þe ſd fairs and mercats that the ſame be changed in manner underwritten Therefor Our said Soveraign Lord with advyce and conſent of the Eſtates of Parliament Does hereby Alter and Change the ſd yearly fairs from the laſt Fryday of July and firſt Fryday of November to the laſt Wedneſday of July and firſt Wedneſday of November yearly in all tyme comeing and the ſd weekly mercat from Fryday to Wedneſday weekly in all tyme hereafter Ordaining the ſd fairs and weekly mercat to be keeped accordingly therafter in all tyme comeing And His Majeſtie with conſent forſd Ratifies the right of the ſd fairs and mercats granted to þe ſd William Stewart and his forſds with þe haill priviledges therof with the forſd alteratione and change.

ACT in favors of Sir William Douglas of Cavers for two yearly fairs at the toun of Denholm

76 OUR SOVERAIGN LORD Considering that the appointing of fairs and mercats in ſeverall convenient places of the Kingdom does greatly tend to the advancement of trade therin advantage þ'of and eaſe of the Leidges And þ' the Toun of Denholm lying within the ſhirreffdom of Tiviotdale and belonging to Sr Wm Douglas of Cavers is fitly ſituat for haveing þe yearly fairs underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament Does hereby appoint two yearly faires to be keeped and holden at the ſd Toun of Denholme one upon the sixteenth day of June and þe other upon the fyfth day of Nove^r yearly and each of þ^m to continue for

eight days for all kinds of vendible commodities And have Given and Granted and hereby Gives and Grants to the ſd Sr Wm Douglas his airs and succeſsors for ever the right and priviledge of keeping and holding the ſaid fairs and haill profites tolls cuſtoms and caſualities therof & competent to pertain therto With full power to the said Sr Wm Douglaſs and his forſds by themſelves or others in their names to cauſe proclaim and ryde the ſd fairs and make ſuch orders theranent as they think fit and to exact uplift and diſpoſe upon the profites tolls cuſtoms and caſualities þr of aboveſpēit with all confiſcations and amerciaments ariſeing from any delinquencies that ſhall happen to be committed therat and to do all other things competent to be done in the lyke caſes by any haveing þe priviledge of free faires within this Kingdom.

ACT in favors of Sir Hugh Paterson of Bannockburn for two yearly fairs and a weekly mercat betwixt Sheockmure & the town of Nether Bannockburn

77 OUR SOVERAIGN LORD Considering that the appointing of faires and mercats in ſeverall convenient places of the Kingdom does greatly tend to the advancement of Trade therin advantage þr of and eaſe of the Leidges And that the ground pertaining to Sr Hugh Paterſon of Bannockburn betwixt Sheockmuir and the Toun of Nether Bannockburn within þe ſhyre of Stirling is fitly situat for haveing the yearly faires and weekly mercat underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament does hereby Appoint two yearly free faires and a weekly mercat to be keeped and holden in the ſd Sr Hugh Paterſon his ground betwixt Sheockmuir and the Toun of Nether Bannockburn one of the ſd faires upon the firſt Tueſday of October and the other upon the second Tueſday of June yearly and the ſd mercat on Tueſday weekly for all ſorts of vendible commodities And hereby Gives and Grants to the ſd Sr Hugh Paterſon his airs and succeſsors for ever the right and priviledge of keeping and holding the ſd fairs and mercat and þe haill profites tolls cuſtoms and caſualities therof and competent to pertain therto With full power to him & them by themſelves or others in þr names to cauſe proclaim & ryde the ſd faires and make ſuch orders anent the ſame & þe said mercat as they think fit and to exact uplift & diſpoſe upon the caſualities therof ãſpēit and to do all other things competent to be done in the lyke caſes by any haveing the priviledge of fairs and mercats within this Kingdom.

ACT for two yearly fairs at the Toun of Kingsbarns in Fyfe

OUR SOVERAIGN LORD Considering that 78
the appointing of faires and mercats in ſeverall convenient places of the Kingdom does greatly tend to the advancement of Trade therin advantage therof & eaſe of the Leidges And that the Toun of Kingsbarns lying within the ſhyre of Fyfe is fitly ſituat for haveing the yearly faires underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament Does hereby appoint two free faires to be holden and keeped at the ſd Toun of Kingsbarns one upon the firſt Teuſday of June and the other upon the third Wedneſday of October yearly in all tyme comeing for buying and selling of all ſorts of vendible commodities.

ACT in favors of John Anderſon of Westrestoun for a weekly mercat at the Kirk of Botriffnie

OUR SOVERAIGN LORD Considering that 79
the appointing of faires and mercats in severall convenient places of the Kingdom does greatly tend to the advancement of Trade therin advantage therof and eaſe of the Leidges And that the Kirk of Botriffnie lying in the ſhyre of [Bamff] belonging to John Anderſon of Weſtreſtoun is a place moſt conveniently ſituat for haveing the weekly mercat underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament does hereby Appoint ane mercat to be holden upon Teuſday weekly at the said Kirk of Botriffnie And have Given and hereby Gives & Grants to the said John Anderſon his airs and succeſsors for ever the priviledge of holding and keeping the said weekly mercat and haill profites tolls cuſtomes & caſualities therof or competent to pertain thereto With power to him and them to uplift and diſpoſe on þe ſame and to make such orders anent the ſd mercat as they ſee good and to do all other things competent to be done in the lyke caſes by any haveing the priviledge of keeping weekly mercats within this Kingdom.

ACT in favors of David Erſkine of Dun for ane yearly fair at the moor of Dun

OUR SOVERAIGN LORD Considering that 80
the appointing of fairs and mercats in ſeverall convenient places of the Kingdom does greatly tend to the advancement of Trade therin advantage therof and eaſe of the Leidges and that the moor of Dun belonging to David Erſkine of Dun

and lying within the ſhyre of [Forfar] is fitly ſituat for haveing the yearly fair underwritten keept therat Therefor His Majeſtie with advyce and conſent of the Eſtates of Parliament Appoints ane yearly fair to be keeped and holden at þe ſd muir of Dun in all tyme comeing to begin on þe laſt Wedneſday of July and to continue for three dayes for all kind of vendible commodities And hereby Gives and Grants to the ſd David Erſkine his airs and ſucceſsors for ever the right and priviledge of keeping and holding þe ſd fair and þe haill profites tolls cuſtomes and caſualities therof and competent to pertain thereto With power to him and them by themſelves & others in their name to cauſe proclaim and ryde the ſd fair yearly and make ſuch orders þanent as they think fit and to uplift and diſpoſe upon the ſd profites tolls cuſtomes & caſualities thereof and to do all other things competent to be done in the lyke caſes by any haveing the priviledge of keeping free fairs within this Kingdom.

ACT in favors of Sir Alexander Cumming of Culter for two yearly fairs upon the muir of Beinshill

81 OUR SOVERAIGN LORD Conſidering that the appointing of fairs and mercats in ſeverall convenient places of the Kingdom does greatly tend to the advancement of Trade therin advantage therof and eaſe of the Leidges And that the moor of Beinſhill belonging to Sr Alex[r] Cumming of Culter & lying in þe parochine of Peter Culter and ſhyre of Aberdeen is conveniently ſituat for haveing the yearly fairs underwritten keept therat Therfor His Majeſtie with advyce and conſent of the Eſtates of Parliament Appoints two free fairs to be keeped and holden at the ſd muir of Beinſhill one therof upon the second Teuſday of March and the other upon the second Teuſday of October yearly in all tyme comeing for all kinds of vendible commodities And Gives and Grants to the ſd Sr Alex[r] Cumming his airs and ſucceſsors for ever the right & priviledge of keeping and holding the ſaid two fairs and the haill profites tolls cuſtoms & caſualities therof or competent to pertain therto With power to him and them by themſelves or others in þ[r] names to cauſe proclaim and ryde the ſd fairs and make ſuch orders theranent as they think fit and to uplift exact and diſpoſe upon the ſd profites tolls cuſtomes and caſualities therof and to do all other things competent to be done in þe lyke caſes by any haveing þe priviledge of keeping free faires within this Kingdom.

Recommendation in favors of the Macers and Houſekeepers

HIS MAJESTIES high Commiſsioner and the Eſtates of Parliament upon application made to them by the Macers and Keepers of the Parliament Houſe Do hereby Recommend them to the Lords of His Majeſties Theſaury for ſome Gratification for their extraordinary attendance this Seſsion of Parliament.

ACT Salvo Jure Cujuſlibet

82 OUR SOVERAIGN LORD takeing to conſideration that there are ſeverall acts of Ratifications and others paſt and made in this Seſsion of Parliament in favors of particular perſons without calling or hearing of such as may be thereby concerned or prejudged Therefor His Ma[tie] with advyce and conſent of the Eſtates of Parliament Statutes & Ordains that all ſuch particular Acts & Acts of Ratifications paſt in manner forſaid shall not prejudge any third party of their lawfull rights nor of their Actions & Defences competent therupon befor the makeing of the ſaids particular Acts & Acts of Ratifications And that the Lords of Seſsion and all other Judges of this Kingdom ſhall be oblidged to judge betwixt parties according to their ſeverall rights ſtanding in their perſons befor þe makeing of the ſaids Acts All which are hereby exponed and declared to have been made Salvo Jure Cujuslibet.

Act of Adjournment

THE KINGS MAJESTIE Declairs this Parliament current and Adjurns the same to the Eight day of December nixt to come Ordaining all Members of Parliament Noblemen Commiſsioners from Shyres and Burghs and all others haveing intereſt to attend at Edinburgh that day at ten a cloak And that there be no new Elections in Shyres or Burghs except upon the death of any of the present Commiſsioners.

Apud Edinburgh,

XIX DIE JULII, A. D. M,DC,XCVIII.

THE SEVENTH SESSION of the FIRST PARLIAMENT of Our most High and Dread Soveraign WILLIAM by the Grace of God King of SCOTLAND ENGLAND FRANCE and IRELAND Defender of the Faith Holden and Begun at Edinburgh the Nyneteenth day of July One thouſand six hundreth & nynety eight years By His Majeſties Right Truſty and right intirely beloved Cousin and Councillour Patrick Earl of Marchmont Viscount of Blasonberry Lord Polwarth of Polwarth Redbraes and Greenlaw and Lord High Chancellour of this Kingdom His Majesties High Commiſsioner for holding the same By vertue of a Commiſsion under His Majesties Great Seal of this Kingdom with the speciall advyce and consent of the Estates of Parliament underwritten: There being also present the ordinary Officers Earl of Erroll Constable Earl Marischall Sir Archbald Muir of Thorntoun Provest of Edinburgh Mr Archbald Sinclair and Mr William Calderwood Sherriff deputes of Edinburgh & Dempster

THE ROLL of the Nobility Barrons and Burgeſses present in Parliament

The VISCOUNT OF SEAFIELD LORD PRESIDENT OF THE PARLIAMENT

The Lord Polwarth as Lord High Thesaurer

The Earl of Melvill Lord President of the Secret Councill

The Duke of Queenſberry Lord Privy Seal

DUKES

MARQUESSES of
Douglas
Tweeddale

EARLS of
Argyle
Crauford
Erroll
Marischall
Sutherland
Mar
Mortoun
Buchan
Glencairn
Eglintoun
Strathmore
Galloway
Lauderdale
Lothian
Loudoun
Findlator
Carnwath
Leven
Annandale
Northesk
Forfar
Aboyne
Kintoir
Tullibardine
Ruglen
March

VISCOUNTS of
Tarbat
Teviot
Duplin

LORDS
Forbes
Saltoun
Elphingstoun
Ros
Blantyre
Burleigh
Jedburgh
Forrester
Bargany
Elibank
Belhaven
Carmichael
Rollo
Ruthven
Rutherford
Bellenden

OFFICERS OF STATE
The Lord Advocat
The Lord Justice Clerk

BARONS FOR THE SHYRES of
Edinburgh
Sir Alexander Gilmour of Craigmiller
Sir John Clerk of Pennycook
Archbald Primrose of Dalmeny
Haddingtoun
Sir Robert Sinclair of Stivenson
Sir John Lauder of Fountainhall
William Morison of Prestoungrange
William Hepburn of Beinstoun
Berwick
Sir Archbald Cockburn of Langtoun
Sir John Home of Blackadder
Sir John Swintoun of that Ilk

Roxburgh
Sir John Riddell of that Ilk
Wm Bennet you^r^ of Grubbet
John Scot of Well
James Scott of Gala

Selkirk
Sir Francis Scot of Thirlestane
James Pringle of Torwoodlie

Peebles
Sir Archbald Murray of Blackbarony
Alexander Murray of Halmyres

Lanerk
William Baillie of Lamingtoun
Sir Wm Denholm of Westshiells
James Hamilton of Aikenhead
Sir Wm Stewart of Castlemilk

Dumfreis
Alex^r^ Johnstoun of Elsheshiells
Sir Thomas Kilpatrick of Closburn
William Crichtoun of Craufordtoun

Wigtoun
Sir Andrew Agnew of Lochnaw
Wm Mackdouall of Garthland

Air
Mr Francis Montgomery of Giffins
William Muir of Rowallan
John Crauford of Kilbirnie
Major Hugh Buntein of Kilbryde

Dumbartoun
Claud Hamilton of Barns

Bute
David Boyle of Kelburn
Mr Wm Stewart of Ambrismore

Renfrew
Sir John Maxwell of Pollock
John Caldwell of that Ilk

Stirling
Sir John Houstoun of that ilk
Sir Alex^r^ Monro of Bearcrofts

Linlithgow
Thomas Drummond of Riccartoun
Patrick Murray of Livingstoun

Perth
Sir Coline Campbell of Aberruchill
Adam Drummond of Megginsh
Robert Hay of Strowie
Mr James Craigie you^r^ of Dumbarny

Kincairdine
Sir Thomas Burnet of Leyes
Alex^r^ Arbuthnet of Knox

Aberdeen
Sir John Forbes of Craigievar
James Moir of Stoniewood
Samuel Forbes of Foveran
Mr James Elphinston of Logie

Invernes
Lodovick Grant of that Ilk
Sir Duncan Forbes of Culloden

Nairn
George Broddie of Aslisk

Cromartie
Mr Kenneth Mackenzie of Cromarty

Argyle
Sir Duncan Campbell of Auchinbreck
Sir Colin Campbell of Ardkinglas
Sir John Campbell of Carrick

Fyfe
Sir William Anstruther of that Ilk
Sir John Dempster of Pitliver
Mr James Melvill of Hallhill
George Moncrief of Reidie

Forfar
James Scot of Logie
Mr James Carnagie of Phinhaven
Robert Reid of Baldovie
James Scot younger of Logie

Bamf
Sir James Abercrombie of Birkinboig
Alexander Duff of Bracoe

Stewartry of Kirkcudbright
Hugh Macguffock of Ruscoe
Patrick Dumbar of Machrimore

Sutherland
Sir Adam Gordon of Dalfolly

Caithnes
Patrick Murray of Pennyland

Elgine
James Brodie of that Ilk
Alexander Dunbar of Westfield

Stewartry of Orknay
Sir Wm Craigie of Gairsey

Clackmannan

Rosse
Sir Robert Monro of Foulis

Kinros

BURGESSES FOR THE BURROWES of

Edinburgh	Sir Robert Chiesly Alex^r^ Thomson
Perth	Robert Smith
Dundee	James Fletcher
Aberdeen	Robert Cruickshank
Stirling	Mr Francis Naper
Linlithgow	
St Andrews	James Smith
Glasgow	John Anderson
Air	John Muir
Haddingtoun	Alexander Edgar
Dysart	Alex^r^ Swintoun
Kircaldie	John Boiswall
Montrose	James Moodie
Coupar	Sir Archbald Muir
Anstruther Easter	Patrick Murray
Dumfreis	Robert Johnstoun
Invernes	John Cuthbert
Bruntisland	Alexander Ged
Inuerkeithing	James Spittell
Kinghorn	Patrick Wallace

Brichen	Francis Molison
Irving	Mr Alexr Cuningham
Jedburgh	Adam Ainslie
Kirkcudbright	
Wigtoun	William Cultran
Dumfermling	Sr Patrick Aikenhead
Pittenweem	George Smith
Selkirk	Mr John Murray
Dumbrittain	Sr James Smollet
Renfrew	Patrick Houstoun
Dumbar	Robert Faw
Lanerk	Thomas Hamilton
Aberbrothock	Patrick Steven
Elgine	James Stewart
Peebles	John Muir
Craill	George Moncrief
Tayne	William Rose
Culros	Mr David Dalrymple
Bamf	Walter Stewart
Whytehorn	
Forfar	Mr John Lyon
Rothesay	Robert Stewart
Nairn	John Rose
Forres	Wm Broddie
Rutherglen	John Scot
North Berwick	Sir Robert Stewart
Anstruther Wester	Mr Robt Cleilland
Cullen	Sr John Hamilton
Lauder	David Maitland
Kintoir	Sr James Scougall
Annan	Mr Wm Johnstoun
Lochmebben	Wm Meinzies
Sanquhar	Sir Alexr Bruce
Newgalloway	Sr Hugh Dalrymple
Kilreny	
Fortrose	Daniel Sympson
Dingwall	Mr Robert Stewart
Dornock	John Anderson
Queensferry	Sr Wm Hamilton
Inverary	Hugh Broun
Inverury	Mr Robert Forbes
Weik	Sr Archbald Sinclair
Kirkwall	Sir Alexr Home
Inverbervy	Wm Beattie
Stranrawer	Sr Pat. Murray

July 19, 1698.

PRAYERS said

THE Kings Commissions to Patrick Earl of Marchmont to be His Majesties High Commissioner to this Session of Parliament read wherof the tenor followes.

Commission to the Earl of Marchmont to be His Majesties Commissioner

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; Defensor Omnibus probis Hominibus ad quos presentes Literæ nostræ pervenerint Salutem Quandoquidem Nos (magni momenti rationibus ducti) currentis nostri Parliamenti hujus antiqui Regni nostri Scotiæ Comitia in septima sua Sessione Edinburgi decimo nono die mensis Julij proxime futuri conventura hactenus statuimus Rebus autem nostris necessario Nos avocantibus dictæ Parliamenti nostri Sessioni interesse nequimus Ideoq; Commissionem nostram cuidam eminentissimi ordinis summæq; fiduciæ et præclaris animi dotibus imbuto regiam nostram personam et authoritatem in eadem representandi concedere decrevimus Cumq; satis compertum habeamus fidelitatem intaminatam, egregias animi dotes diuturnam etiam experientiam fidelissimi et dilectissimi nostri Consanguinei et Consiliarij Patricij Comitis de Marchmont &c. summi nostri Cancellarij dicti Regni Cujus insignes animi dotes ad summæ illud fiduciæ munus rite obeundum ac pia et Regia nostra proposita propaganda tam in promovendo commodo et interesse dict⁹ nostri antiqui Regni et in Ecclesiasticis et in Civilibus quam servitio nostro ipsum usquequaq; instructum reddant Noveritis igitur Nos Dedisse et Concessisse perq; hasce nostras patentes Literas Dare et Concedere prædicto fidelissimo nostro Consanguineo et Consiliario Patricio Comiti de Marchmont sacram nostram personam representandi et in predicta septima Sessione currentis Parliamenti nostri dicti Regni et in re quavis alia ubicunq; de Ecclesia firmanda pace et politia dicti Regni nostri conservanda et excolenda et re nostra propaganda et promovenda Tractandum fuerit authoritatem nostram Regalem gerendi in universis ejusdem administrationibus tanquam supremo nostro Commissionario plenissimam et amplissimam nostram potestatem et Commissionem Porro tenore presentium eundem Patricium Comitem de Marchmont cum Commissionarij nostri titulo nostra authoritate Regali Insignimus plenamq; ipsi tribuimus potestatem omnia et singula ad munus et imperium Commissionarij spectantia tam plene et libere quoad omnes effectus quam quilibet alius ejusdem summi muneris et characteris (Regnantibus quibuscunq; nostrorum serenissimorum decessorum) unquam fecerat seu de jure facere potuerat faciendi agendi peragendi Quæquidem omnia et singula in dicta hac Commissione prosequenda ab ipso facienda nos firma et rata habemus et habituri sumus Omnibus et singulis insuper Status nostri officialibus iisq; qui nobis ab intimis Concilijs Judicibus Legatis et Officiarijs nostrarum in hoc Regno Copiarum cæterisq; quibuscunq; subditis dicti Regni stricte mandamus et imperamus ut præfatum Patricium Comitem de Marchmont tanquam supremum nostrum Commissionarium sacram nostram personam representantem et Regalem nostram authoritatem gerentem agnoscant ipsiq; reverentiam et obsequium præbeant ad effectum et secundum normam in hac nostra Commissione præscriptam Quæquidem Commissio dicto decimo nono die mensis Julij proxime sequen inclusive

incipiet et durante antedicta septima seſsione Parliamenti et in ultimum usq; ejusdem Seſsionis diem etiam inclusive in vigore durabit Et deniq; Declaramus hanc nostram Commiſsionem absq; prejudicio fore prefato Patricio Comiti de Marchmont cuivis alij diplomati seu Commiſsioni de quocunq; alio munere a nobis ipsi concredito sed eadem durante hac nostra Commiſsione ac etiam post ipsius expirationem in pleno continuare vigore durante nostro beneplacito modo in singulis diplomatis et Commiſsionibus ipſi conceſsis contento In Cujus rei Testimonium presentibus magnum et etiam secretum nostrum Sigillum appendi curavimus Apud aulam nostram de Kensingtoun vigesimo quarto die mensis Junij Anno domini milleſimo sexcentesimo nonagesimo octavo et anno Regni nostri Decimo. Per Signaturam manu S. D. N. Regis suprasignatam

A LETTER from the King to His Majesties High Commiſsioner appointing the Viscount of Seafield His Majesties Principal Secretary of State to be President to this Seſsion of Parliament Read, wherof the tenor followes:

The Kings Letter appointing the Viſcount of Seafield to be President to this Seſsion of Parliament

Sic suprascribitur WILLIAM R

RIGHT trusty and right entirely beloved Cousin and Councellour We greet you well. Wheras it is neceſsary that there should be one appointed to preside in the ensueing Seſsion of Parliament in your place We have for that end made choiſe of our Right trusty and well beloved Cousin and Councellour James Viscount of Seafield our Principall Secretary of State being well satisfied of his abilities for dischargeing that trust. We therefor require yow to signify this our pleasure to him and also to our Parliament when the same does meet. For doing wherof this ſhall be your warrand So we bid you heartily farewell Given at our Court at Kensington the 27th day of June 1698, and of our Reigne the tenth year.

By his Mats Command

Sic subscribitur QUEENSBERRIE.

Directed on the back thus

To our Right trusty and right entirely beloved Cousin and Councellour Patrick Earle of Marchmont Our High Commiſsioner and Chancellor of our ancient Kingdom of Scotland.

A LETTER from His Majestie to my Lord Commiſsioner appointing the Lord Polwarth to sit and vote in this Seſsion of Parliament as Lord High Thes' Read, wherof the tenor followes.

His Majesties Letter appointing the Lord Polwarth to sit and vote asTreasaurer

Sic suprascribitur WILLIAM R.

RIGHT trusty and right entirely beloved Cousin & Counsellour We greet you well. Wheras the office of Lord High Treasaurer of that our Kingdom is now in Commiſsion And it being provided by the Laws of our said Kingdom that the number of our Officers of State who are to have vote and place in Parliament should not exceed the number of Eight even though at any time there should be more persons imployed in the execution of the said offices And it being reasonable that there ſhould be one named to Appear and Act in the ensueing Seſsion of Parliament as our Treasaurer aforsaid Therefor we do Nominat and appoint our right trusty and well beloved Patrick Lord Polwarth your son to have the place and vote of the Lord High Treasaurer in the ensuing Seſsion of Parliament. So we bid yow heartily farewell Given at our Court at Kensington the 24th day of June 1698 and of our Reign the 10th year.

By his Mats Command

Sic subscribitur JA: OGILVIE

Directed on the back thus

To our Right trusty and right entirely beloved Cousin and Councellour Patrick Earl of Marchmont Our Commiſsioner and Chancellor of our ancient Kingdom of Scotland.

UPON reading of which two Letters the said Viscount of Seafield and Lord Polwarth took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament and took their places accordingly.

THE Rolls Called.

THE Earl of Sutherland protested for the precedencie to all the Earls ranked befor him in the rolls of Parliament. [Protestations anent Precedency]

THE Earl of Mar protested for the precedency to all the Earls ranked before him in the rolls of Parliament.

THE Earl of Lothian protested against the calling of the Earl of Roxburgh and others before him.

THE Earl of Findlator protested against the calling of the Earl of Airly before him.

THE Earl of Leven protested against the calling of the Earl of Callender before him.

PATENT creating John Lord Murray Earl of Tullibardine, read and ordered to be recorded, wherof the tenor followes.

Patent in favors of the Earl of Tullibardine

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ & Hiberniæ Rex fideiq; Defensor Omnibus probis hominibus suis ad quos presentes Literæ nostræ pervenerint Salutem Quandoquidem Regiæ nostræ dignitati est consentaneum insignes

gratiæ et estimationis nostræ characteres conferre in illos qui illustrisſimi sunt generis et quorum acta preclara stemmatis sui dignitatem ornant Et nos animo revolventes Joannem Dominum Murray Marchionis Atholiæ filium natu maximum non solum familia illustri et antiqua ortum, verum etiam propinqua nobis cognatione honoratum eſse et cujus etiam deceſsores per plurima retro sæcula constanti fidelitate et firma adhæsione sereniſsimis nostris anteceſsoribus eorumq, diademati et dignitati insigniter claros sese reddidere ipsumq, dictum Joannem Dominum Murray in officiis et muneribus a nobis ipſi hactenus concreditis integritate egregia fidelem sese præbuiſse Ob hasce igitur et alias magni momenti causas et rationes insignem et durabilem Regiæ noſtræ gratiæ teſseram in ipsum conferre Statuimus unde in posterum aptior et validior reddatur ejusmodi munera et officia obire quæ a nobis ipſi committentur Noveritis igitur Nos Nominaſse Feciſse Constituiſse et Creaſse sicuti per hasce nostras patentes Literas Nominamus Facimus Constituimus et Creamus eundem Joannem Dominum Murray Comitem Vicecomitem et liberum Parliamenti Dominum Comitem de Tullibardine Vicecomitem Glenalmond et Dominum Murray in antiquo nostro Scotiæ Regno designandum et appellandum Damus pariter Concedimus et Conferimus in dictum Joannem Dominum Murray durañ omnibus ejus vitæ diebus antedictum titulum honorem gradum et dignitatem Comitis Vicecomitis et liberi Parliamenti Domini ut prædicitur; cum plenaria potestate illi eodem fruendi et gaudendi cum universis et singulis prærogativis præeminentiis præcedentiis privilegiis et immunitatibus quibuscunque eo attinentibus et spectantibus quibuscum dictum Joannem Dominum Murray Nobilitamus et Investimus speciatim vero cum libero in parliamento suffragio Tenendum et Habendum dictum titulum honorem dignitatem et gradum Comitis Vicecomitis & Domini cum universis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus aliisq, quibuscunq, eo spectantibus per dictum Joannem Dominum Murray durante spatio antedicto de Nobis nostrisq, regiis Succeſsoribus in omnibus Parliamentis Ordinum Conventibus Conciliis generalibus omnibusq, aliis Conventibus publicis seu privatis quibuscunq, in dicto nostro Regno tam plenarie & libere in quovis respectu quam quivis alius Comes Vicecomes et liber Parliamenti Dominus simili titulo honore dignitate et gradu quovis tempore præterito presente seu futuro usus et gavisus est seu uti et gaudere poterit Leoni porro armorum Regi ejusq, fratribus fecialibus Imperamus talia prioribus insigniis ejus gentiliciis additamenta qualia ipsi illisq, congruà et similibus casibus usitata videbuntur dare et prescribere Ordinamus itidem et Declaramus hasce nostras patentes Literas magno nostro Sigillo munitas adeo validas et sufficientes fore illi pro poſsidendo dicto titulo honore dignitate et gradu Comitis Vicecomitis et liberi Parliamenti Domini durante spatio antedicto cum omnibus privilegiis aliisq, quibuscunq, eo spectantibus ac si cum ritibus et solemnitatibus similibus occasionibus perprius usitatis investitus et inauguratus eſset Quocirca Nos pro nobis nostrisq, Regiis Succeſsoribus Dispensavimus perq, præsentes Dispensamus in perpetuum Declarando omnimodo sicuti tenore præsentium specialiter provisum et declaratum est quod hoc nostrum diploma est ac erit absq, prejudicio succeſsionis dicti Joannis Domini Murray ejusq, heredum presenti Marchioni Atholiæ ejus patri in titulo suo præcedentia et dignitate tanquam Marchioni Atholiæ &c. secundum diplomata sua post deceſsum suum simili modo adeoq, libere quam si presentes nostræ Literæ minime factæ aut conceſsæ fuiſsent In cujus rei Testimonium præſentibus Magnum Sigillum nostrum appendi precepimus Apud Castra nostra ad Atre prope Aeth vigesimo septimo die menſis Julii anno domini millesimo sexcentesimo nonagesimo sexto Regniq, nostri anno octavo Per signaturam manu S D N Regis suprasignatam Written to the Great Seal and registrat the laſt day of August 1696 Sic subscribitur Charles Kerr Sealled at Edinburgh the last day of August 1696 Sic subscribitur J Home

PATENT creating Lord John Hamilton Earl of Ruglen, read, and ordered to be recorded wherof the tenor follows.

Patent in favors of the Earl of Ruglen

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, defensor Omnibus probis Hominibus ad quos presentes Literæ nostræ pervenerint Salutem Quandoquidem Nos ex summa nostra gratia considerantes excelsa honorum enconia virtutis eſse præmia Quin etiam Regiæ noſtræ dignitati eſse consentaneum insignes gratiæ et æstimationis nostræ characteres conferre in illos qui illuſtriſsimi sunt generis, et quorum acta præclara cum prosapiæ suæ dignitate conveniunt Nosq, itidem perpendentes Dominum Joannem Hamilton filium nuperi Ducis de Hamilton ortum eſse e familia in summo honoris gradu illustri utpote de Regio nostro sanguine et genere et quæ per multa retroacta Secula constanti fidelitate et adhæsione sereniſsimis nostris anteceſsoribus eorumq, Coronæ et dignitati tanquam discriminanti charactere claram sese reddidit Ob quæ plurimi familiæ illius principes prout in summa erant rerum administratione sic etiam hoc ipso nomine gloriosiſsimo modo vita erant privati Nos etiam in memoriam Revocantes nuperum Ducem de Hamilton quod opem et auxilium eminenter præbuit pro stabiliendo hoc nostro Regno Scotiæ sub authoritate nostra plurimis etiam occasionibus res nostras promoverat cum sacram nostram representaret personam in Parliamentis nostri dicti

Regni tanquam supremus noster Commiſsionarius Quin etiam quod idem Dominus Joannes Hamilton generis sui et sanguinis nobilitati propria sua virtute superaddidit ac eximiæ suæ fidei et zeli erga Regimen nostrum multa & præclara dederit specimina Ob has igitur plurimasq, alias magni momenti causas et rationes insignem et durabilem Regii nostri favoris teſseram in illum ejusq, familiam conferre statuimus ut inde incitentur in fidelitate et officio erga Nos nostrosq, succeſsores firmiter continuare utq, etiam validiores in posterum reddantur ejusmodi munera et officia obire quæ in Coronæ nostræ servitio ipsis committi contigerint Noveritis igitur nos nominaſse Feciſse Constituiſse et Creaſse sicut et per presentes hosce noſtros patentes Libellos nominamus facimus constituimus et creamus eundem Dominum Joannem Hamilton Comitem Vicecomitem et liberum Parliamenti Dominum Comitem de Ruglen Vicecomitem de Riccartoun et Dominum Hillhouſe in dicto Regno nostro Scotiæ designandum et appellandum Damus porro Concedimus et Conferimus in dictum Dominum Joannem Hamilton et heredes maſculos de ejus corpore Quibus deficien heredes de ejus corpore quoſcunq, antedictum titulum dignitatem gradum et honorem Comitis Vicecomitis et liberi parliamenti Domini ut prædicitur cum plena admodum potestate illi ejusq, antedictis eodem fruendi et gaudendi Cum univerſis & singulis prærogativis præcedentiis præheminentiis privilegiis libertatibus & immunitatibus quibuscunq, eo attinentibus et spectantibus quibuscum dictum Dominum Joannem Hamilton ejusq, prædict Nobilitamus et Investimus speciatim vero cum libero in parliamento suffragio Tenendum et Habendum antedictum titulum dignitatem gradum et honorem Comitis Vicecomitis et liberi Parliamenti Domini Cum univerſis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus immunitatibus aliisq, quibuscunq, eo spectantibus per dictum Dominum Joannem Hamilton ejusq, antedictos de nobis noſtriſq, sereniſsimis Succeſsoribus in omnibus Parliamentis Ordinum Conventibus Conciliis generalibus omnibusq, aliis publicis et privatis ejusdem Regni Congreſsibus tam plenarie adeoq, libere in omnibus respectibus et conditionibus quam quivis alius Comes Vicecomes et liber parliamenti Dominus tali titulo honore dignitate et gradu quovis tempore præterito præsenti aut futuro potitus et gaviſus est seu frui et gauderi poterit Leoni porro armorum Regi ejusq, fratribus fæcialibus Mandamus ut præfato Domino Joanni Hamilton (nunc Comiti de Ruglen) talia insigniis suis gentilitiis additamenta qualia ipsi illisq, congrua et similibus caſibus usitata videbuntur dent et præscribant Ordinamus denique et Declaramus haſce noſtras patentes Literas ſub magno noſtro sigillo adeo validas et ſufficientes fore illi ejusq, prædict pro poſsidendo dicto titulo dignitate gradu et honore Comitis Vicecomitis et liberi Parliamenti Domini ut prædicitur Cum omnibus privilegiis libertatibus aliiſq, quibuſcunq, eo spectantibus ac si ipse ejuſq, prædict cum omnibus ritibus et ceremoniis similibus occaſionibus perprius usitatis Inveſtiti et Inaugurati fuiſsent Quocirca Nos pro nobis noſtrisq, Succeſsoribus Dispensamus in perpetuum In cujus rei Testimonium præsentibus magnum Sigillum nostrum appendi præcepimus Apud aulam noſtram de Kensingtoun Decimo quinto die menſis Aprilis Anno Domini millesimo sexcentesimo nonagesimo septimo Regniq, noſtri anno nono Per signaturam manu S D N Regis suprasignatam. Written to the Great Seal and Registrat the twenty nynth day of Aprile 1697 Sic subscribitur Dun : Ronald Dp^t Sealed at Edinburgh the twenty nynth day of Aprile 1697 Sic subscribitur J Home

PATENT Creating Sir Thomas Livingstoun Viscount of Teviot Read and Ordered to be Recorded, wherof the tenor follows.

DIPLOMA Domini Thomæ Livingſtone de titulo et dignitate Vicecomitis de Teviot &c.

Patent in favors of the Viſcount of Teviot

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique Defenſor Omnibus probis hominibus ad quos preſentes literæ noſtræ pervenerint ſalutem, Quandoquidem Nos ex ſumma et ſerena noſtra gratia perpendentes plurima fidelia et egregia officia nobis per fideliſſimum et dilectiſſimum noſtrum Conciliarium Majorem Generalem Dominum Thomam Livingſtoune præſtita Quod non ſolum illi ſummis muneribus et officiis Imperatoris Copiarum noſtrarum in antiquo noſtro ſcotiæ Regno et præfecti ſummi Machinarum noſtrarum bellicarum, verum etiam pluribus aliis muneribus et provinciis tum civilibus tum militaribus a nobis ipſi concreditis et ante et poſt feliciſſimam noſtram ad Imperiale Diadema acceſsionem, diligentia inſigni fideliter functus eſt, ſpeciatim autem in memoriam revocantes præclarum et egregium miniſterium ab ipſo nobis impenſum apud Crumden Anno Milleſimo ſexcenteſimo nonageſimo Rebellibus ſub ipſius feliciſſimis auſpiciis ibidem fuſis et fugatis, Hiſce itaque penſatis atque ut evidenter appareat quanti eadem ex æquo et bono æſtimamus inſignem et durabilem regii noſtri favoris teſſeram in illum ejuſque familiam conferre ſtatuimus ut ipſe ejuſque poſteri inde incitentur in fidelitate et officio erga nos noſtroſque regios ſucceſſores firmiter continuare, utque etiam validiores in poſterum reddantur ejusmodi munera et officia obire quæ in coronæ noſtræ ſervitio ipſi committi contigerint. Noveritis igitur Nos Feciſſe, Conſtituiſſe et Creaſſe, ſicuti per præſentes hoſce noſtros patentes libelos, Facimus, Conſtituimus et Creamus eundem Majorem Generalem Dominum

Thomam Livingſtone et hæredes maſculos legitime procreatos ſeu procreandos de ſuo corpore Vicecomites de Teviot et Dominos Livingſtone de Peebles, Damus porro, Concedimus et Conferimus in illum ejusq, antedictos eundem titulum gradum et dignitatem Vicecomitis et Domini, Ordinamus etiam ipſum ejuſque antedictos omni tempore futuro ita æſtimandos deſignandos appellandos locandos et honorandos eſſe cum loco et ordine equitandi, ſedendi, et ſuffragium dandi in omnibus Parliamentis Conciliis generalibus et ordinum Conventibus aliiſque Conventibus dicti Regni Cum univerſis prerogativis præeminentiis honoribus dignitatibus libertatibus et immunitatibus quibuſcunq, eo ſpectantibus ſimiliter adeoque libere in quovis reſpectu quam quilibet alius Vicecomes Dominus ſeu Baro Parliamenti ſimili titulo et dignitate perprius uſus potitus et gaviſus eſt tempore præterito ſeu in poſterum uti et gaudere poterit Tenendum et Habendum antedictum titulum honorem et dignitatem vicecomitis et domini cum omnibus prærogativis præeminentiis et immunitatibus ſupra expreſſis per eundem Dominum Thomam Livingſtone nunc Vicecomitem de Teviot ejuſque antedictos, de nobis noſtriſque ſucceſſoribus in omnibus et ſingulis Parliamentis generalibus Conciliis Conventibus aliiſque publicis Congreſſibus dicti Regni, Volumus pariter et Concedimus proque nobis noſtriſque ſucceſſoribus Decernimus et Ordinamus hoc noſtrum Diploma adeo validum efficax et ſufficiens fore in omni reſpectu præfato Domino Thomæ Livingſtone nunc Vicecomiti de Teviot ejusque antedictis pro utendo et gaudendo dicto titulo honore et dignitate Vicecomitis et Domini, ac ſi dictus Dominus Thomas Livingſtone nunc Thomas Vicecomes de Teviot ſolenniter inveſtitus et inauguratus fuiſſet cum omnibus ſolennitatibus antiquitus uſitatis non ita ſit, Quocirca Nos pro nobis et ſucceſſoribus noſtris in perpetuum Diſpenſamus. Leoni denique armorum Regi ejuſque fratribus fœcialibus per preſentes Imperamus ut talia inſignia armorea ſeu additamenta dicto Thomæ Vicecomiti de Teviot ejuſque prædict° ſimilibus caſibus uſitata dent et præſcribant. In cujus rei Teſtimonium preſentibus magnum Sigillum noſtrum appendi mandavimus. Apud aulam noſtram de Kenſingtoune quarto die menſis Decembris Anno Domini Milleſimo ſexcenteſimo nonageſimo ſexto et anno Regni noſtri octavo.

Patent in favors of the Viscount of Seafield

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, defensor Omnibus probis Hominibus ſuis ad quos præſentes Literæ noſtræ pervenerint Salutem Quandoquidem Nos regio noſtro animo perpendentes egregia admodum officia perplurima nobis præſtita et impensa per fideliſsimum et dilectiſsimum noſtrum Conciliariu̇m Dominum Jacobum Ogilvie principalem noſtrum Status Secretarium pro antiquo noſtro Regno Scotiæ in diversis muneribus et officiis fungendis a nobis ipſi concreditis speciatim vero in ſummo illo munere Secretarii Status antedicto Atq, itidem in memoriam revocantes fidelitatem continuam et officia insignia nobilis et antiquæ familiæ Comitis de Findlator ex qua immediate ortus eſt Ob has itaq, et multas alias magni momenti res et rationes durabilem quendam regiæ noſtræ gratiæ et commendationis characterem in eundem Dominum Jacobum Ogilvie ejusq, heredes infra mentionatos Conferre apud nos benigne Statuimus unde ſcilicet iis ulterius animus addatur quinetiam validiores reddantur ex omni occasione majoris momenti officia nobis et Regijs noſtris ſucceſſoribus præſtare Noveritis igitur Nos feciſse conſtituiſse et creaſse sicuti per hasce Literas patentes facimus conſtituimus et creamus dictum Dominum Jacobum Ogilvie Vicecomitem et liberum Parliamenti Dominum dicti noſtri Regni Vicecomitem de Seafield et Dominum Ogilvie de Cullen designandum et appellandum Damus pariter concedimus et conferimus in dictum Dominum Jacobum Ogilvie et heredes maſculos de ejus corpore Quibus deficieñ alios ejus heredes talliæ continendos in carta terrarum ejus et prædiorum secundum Signaturam Regia noſtra manu munitam datam cum præſentibus titulum honorem gradum et dignitatem Vicecomitis et liberi Parliamenti Domini ut dictum eſt Cum plenaria poteſtate jure et authoritate illi ejusq, prædict° eodem titulo fruendi et gaudendi Cum universis et ſingulis prærogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq, eo attinentibus quibuscum Nos præfatum dominum Jacobum Ogilvie ejusq, prædict° Nobilitamus et Investimus et speciatim cum libero in Parliamento ſuffragio Tenendum dictum titulum honorem gradum et dignitatem Vicecomitis et liberi Parliamenti Domini cum omnibus et ſingulis prærogativis præcedentiis præeminentiis privilegiis et immunitatibus eo ſpectantibus per eundem Dominum Jacobum Ogilvie ejusq, prædictos de Nobis noſtrisque Succeſſoribus in omnibus Parliamentis ordinum Conventibus generalibus Conciliis aliisq, Congreſsibus quibuscunq, publicis ſeu privatis in dicto Regno noſtro tam plenarie et libere in quovis reſpectu et conditione quam quivis alius Vicecomes et liber Parliamenti Dominus ſimili titulo honore et dignitate cum omnibus privilegiis eo ſpectantibus perprius usus est aut gavisus tempore præterito seu in posterum uti et gaudere poterit Leoni porro armorum Regi ejusq, fratribus fœcialibus Imperamus ut præfato Domino Jacobo Ogilvie nunc Vicecomiti de Seafield talia prioribus insigniis ejus gentilicijs additamenta (per eum ejusq, antedict° utend) qualia convenientia et congrua et similibus occasionibus usitata videbuntur dent et prescribant Declarañ hasce nostras patentes literas magno noſtro Sigillo munitas adeo validas et efficaces fore præfato Domino Jacobo Ogilvie ejusq, prædict°

pro poſsidendo dicto titulo honore dignitate et gradu Vicecomitis et liberi Parliamenti Domini cum universis et singulis prerogativis præeminentiis privilegiis et immunitatibus quibuscunq, eo spectantibus ac si cum omnibus ritibus et solemnitatibus similibus occasionibus perprius usitatis Investiti et Inaugurati eſsent Quocirca Dispensavimus perq, præsentes in perpetuum Diſpensamus In cujus rei Testimonium præsentibus magnum Sigillum noſtrum appendi præcepimus Apud aulam noſtram de Kensingtoun vigesimo quarto die mensis Junii anno Domini millesimo sexcentesimo nonagesimo octavo Regniq, noſtri anno Decimo Per Signaturam manu S. D. N. Regis suprasignatam Written to the Great Seal and regrat the Sixth day of July 1698 Sic Subscribitur Charles Kerr Sealled at Edinburgh the Sixth day of July 1698 Sic subscribitur J Home.

[Oath of Parliament taken]

THE Marques of Tweeddale the Earls of Crauford Marischall Northeſk Tullibardine and Ruglen the Viscount of Teviot and Lord Elibank, took the Oath of Alleadgeance and subſcryved þe same with the Aſsurance and Aſsociation

Mr James Carnagie of Phinhaven, Robert Reid of Baldovie James Scot younger of Logie Commiſsioners for the shyre of Forfar and Alexander Dunbar of Westfield for the shyre of Elgine took þe Oath of Alleadgeance and subſcryved the same with the Aſsurance and Aſsociation

Mr Francis Napeir Commiſsioner for the Toun of Stirling Sr Patrick Aikenhead for Dumfermling Mr David Dalrymple for Culros Mr John Lyon for Forfar Mr William Johnstoun for Annan Mr Robert Stewart for Dingwall and Sir Alexander Home for Kirkwall took the Oath of Alleadgeance and subſcryved the same with the Aſsurance and Aſsociation

AND all the forsaid persons took the Oath of Parliament

THE Kings most Gracious Letter to the Parliament was presented by his Majesties Commiſsioner and read wherof the tenor followes

Sic superscribitur WILLIAM R

The Kings Letter to the Parliament

My Lords and Gentlemen

WE have had many convinceing proofs of your Loyalty and good Affection to our Person and Government in the former Seſsions of Parliament For which We return you our hearty thanks And we do aſsure you that we design to give you such Encouragement upon all occasions as may every way make you find the Advantage of your faithfulneſs and duty to us.

WE are sensible of the chearfull aſsistance and support we have had from you during the continuance of the war which by the bleſsing of God upon our endeavours is now ended in an honourable Peace And the greateſt satiſfaction we have in this is that thereby we have the prospect of the prosperity and happineſs of our good Subjects.

WE did intend to hold this Seſsion of Parliament in Person that hearing in our own presence what concerns the interest and advantage of that our ancient Kingdom reasoned upon we might have been more fully informed of the Laws that are fit to be made: But the present circumstances of our affairs both here and abroad has hindered us from prosecuting that design And we having intire truſt and confidence in you have thought fit again to call you together in our absence, and have nominated and appointed our Right trusty and right entirely beloved Cousin and Councellor Patrick Earle of Marchmont our Chancellor to be our Commiſsioner and to represent our Royall Person and Authority amongst you, of whoſe fitneſs and abilities for dischargeing this truſt we are well satisfied: And we doubt not but his fidelity and zeal for our service and the good of the Kingdom which has appeared in the severall Stations wherin he has been imployed will render him acceptable to you.

WE have fully instructed him in what we judge to be neceſsary for the support of our Government and safety of that our Kingdom, And therfor we desire you to give him intire trust and credit, and he has full power to paſs such Lawes for the good of our People as appear to be most needfull at present.

OUR Enemies abroad and those who are disaffected to our Government at home are still ready to lay hold of all opportunities for carrying on their bad designs, And therefor we judge it absolutely neceſsary for your preservation that the forces upon the present Establishment be continued, And we cannot doubt but you will provide suteable Supplys for maintaining of them.

THE Funds given the former Seſsions have fallen short of what was expected which has occasioned Arrears to be due to the Forces lately disbanded And there is also a debt upon the account of the frigots; And the Forts and garrisoned places need reparation and therefor we recommend to you to provide what may be sufficient for these ends.

IT will be most acceptable to us that you fall upon effectuall methods for discourageing vice immorality and irreligion, and we are well satisfied with the progreſs made in that matter in the last Seſsion.

WE do upon this occasion again give you full assurance that as we know our interest and that of our Peoples to be inseparable so we have firmly resolved to make it our principall care to maintain their Religion Laws and Liberties and Presbiterian Government in that Church, And the flourishing of Trade being of great advantage to our Subjects we will give all due encouragement for promoteing therof.

WE haveing proposed nothing but what is necessary for your own preservation Do earnestly recommend to you unanimity and a cordiall concurence in dispatching thereof that it may appear to all you are not unmindfull of the happy deliverance you have had from the dangers to which your Religion and Liberties were formerly exposed. In full confidence whereof we do assure you of our Royall favour and Protection in all your concerns. So we bid you heartily farewell Given at our Court at Kensington the 24th day of June 1698 and of our Reign the 10th year

By his Mats Command
Sic subscribitur Ja: OGILVIE

THEN His Majesties High Commissioner and the Lord President made their Speeches to the Parliament.

[Kings Letter & Commissioners & Presidents Speeches to be printed] A MOTION being made for printing the Kings Letter with his Grace the Commissioners speech and the Lord Presidents speech the same was ordered accordingly.

[Orders of the House] THE Orders of the House read and appointed to be printed and affixed on the usuall places.

Addition to the orders of the House THE Director of the Chancellary and his depute the Clerks of Exchequr and the Keeper of the Great Seal and Underkeeper of the Privy Seal allowed to be present in the meetings of Parliament and that this be added to the Orders of the House.

[Minutes to be revised] HIS Grace my Lord Commissioner ordered His Majesties Advocat and Justice Clerk to revise the Minutes of this Session of Parliament.

[Earl of Selkirk excused] THE Earl of Selkirk excused by his Grace his Majesties High Commissioner in respect of his necessary absence in attending his Majesties person.

COMMISSION the Earl of Selkirk Lord Register to Mr Alexander Gibson one of his depute Clerks of Parliament to present sign and officiat for him dureing his absence this Session of Parliament presented, read and ordered to be recorded, whereof the tenor followes.

Commission by the Earl of Selkirk to Mr Alexander Gibson

WE Charles Earl of Selkirk &c. Clerk to his Majesties Counsell Registers and Rolls Forasmuch as I am oblidged by his Majesties positive Commands to attend his person in his Journey to Holland, so that I cannot be personally present to serve in the ensueing Session of this current Parliament And to the effect that His Majestie and his Leidges may be served with one to supply me in receiveing Protestations presenting and signeing of papers and doing all other service necessar in Parliament Therefor I have nominat appointed & commissionate and by thir presents nominats appoints & commisionats Mr Alexander Gibson ane of my deputy Clerks in Parliament in my vice and place dureing my absence in this ensueing Session of Parliament to receive Protestations present and signe papers and to act and doe all other things necessary in the said Session of Parliament as I might do myself if I were personally present The which to do I commit to the said Mr Alexander Gibson my full Warrand and Commission by these presents Consenting to the Registration therof in the Books of Parliament or Books of Counsel and Session there to remain for Conservation and thereto Constituts my Prors In witness wherof (written be Lewis Pickart servant to the Earl of Aran) I have subscrived thir presents at London the seventh day of July the year of God 1698 Befor thir witnesses William Hamilton of Wishaw and Captain Alexander Gawne Sic Subscribitur Selkirk Cls Regtri W Hamilton witnes A Gawne witnes.

THE Lord President by order of his Majesties High Commissioner adjurned the Parliament till Thursday at ten a cloak.

JULY XXI, M,DC,XCVIII.

PRAYERS said Rolls called.

[Members excused] SIR Thomas Kilpatrick of Closburn Sir James Johnstoun of Westerraw and William Colquhoun of Craigtoun excused by his Grace His Majesties High Commissioner in respect of their indisposition, as also Robert Craig of Riccartoun excused as necessarly absent out of the Kingdom.

PATENT creating Lord William Douglas Earl of March, read and ordered to be recorded, wherof the tenor follows.

Patent in favors of the Earl of March GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fidei, defensor Omnibus probis Hominibus ad quos presentes Literæ

nostræ pervenerint Salutem. Quandoquidem Nos considerantes quam consentaneum sit Regiæ nostræ dignitati honorum titulos tanquam gratiæ et favoris nostræ insignes notas de nobis bene merentibus atq, a nobiliſsimis familiis ac in fidelitate nobis nostræ Coronæ et Regno semper firmis prosapiam ducentibus concedere Atq, in memoriam Revocantes Dominum Gulielmum Douglas filium natu secundum demortui Gulielmi Ducis de Queensberrie ortum eſse e familia nobili in primo nobilitatis ordine in antiquo hoc Regno nostro Scotiæ conspicua firmam itaq, et constantem adhæsionem dicti Ducis ejusq, anteceſsorum Juribus Regiis Atq, etiam Jacobum Ducem de Queensberry pro rebus nostris mature apparuiſse egregia itidem officia per dictum ducem nobis prestita continuo a feliciſsima nostra ad coronam acceſsione Nos etiam perpendentes integritatem fidelitatem et affectum dicti Domini Gulielmi Douglas et ipsius capacitatem ut nobis Coronæ & Regimini nostro inserviat Noveritis igitur Nos Nominaſse Feciſse Constituiſse & Creaſse sicuti per præsentes Nominamus Facimus Constituimus et Creamus eundem Dominum Gulielmum Douglas Comitem Vicecomitem et liberum Parliamenti Dominum Comitem de March Vicecomitem de Peibles et Dominum Douglas de Neidpath Lyne et Munard in dicto nostro Regno Designandum et Appellandum Damus pariter et Conferimus in dictum Dominum Gulielmum Douglas et heredes masculos de ejus corpore Quibus deficieñ alios ejus heredes masculos et talliæ contentos in ejus infeofamentis terrarum et dominii de Neidpath antedictum titulum dignitatem gradum et honorem Comitis Vicecomitis et liberi Parliamenti Domini ut prædicitur Cum plena admodum potestate illi ejusq, antedict eodem fruendi et gaudendi cum universis et singulis prerogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq, eo attinentibus et spectantibus quibuscum dictum Dominum Gulielmum Douglas ejusq, prædictos Nobilitamus et Investimus Speciatim vero cum libero in Parliamento suffragio Tenendum et Habendum antedictum titulum dignitatem gradum et honorem Comitis Vicecomitis et Liberi Parliamenti Domini Cum universis et singulis prerogativis præcedentiis præeminentiis privilegiis libertatibus immunitatibus aliisq, quibuscunq, eo spectantibus per dictum Dominum Gulielmum Douglas ejusq, antedictos de nobis nostrisq, sereniſsimis Succeſsoribus in omnibus Parliamentis Ordinum Conventibus Conciliis generalibus omnibusq, aliis publicis et privatis ejusdem Regni Congreſsibus tam plenarie adeoq, libere in omnibus respectibus et conditionibus quam quivis alius Comes Vicecomes et liber Parliamenti Dominus tali titulo honore dignitate et gradu quovis tempore præterito potitus et gavisus est seu frui et gauderi poterit Leoni porro armorum Regi ejusq, fratribus fecialibus Mandamus ut præfato Domino Gulielmo Douglas (nunc Comiti de March) talia insigniis suis gentiliciis additamenta qualia ipsi illisq, congrua et similibus casibus usitata videbuntur dent et præscribant Ordinamus deniq, et Declaramus hasce nostras patentes Literas sub magno nostro Sigillo adeo validas et sufficientes fore illi ejusq, prædictis pro poſsidendo dicto titulo dignitate gradu et honore Comitis Vicecomitis et liberi Parliamenti domini ut prædicitur cum omnibus privilegiis aliisq, quibuscunq, eo spectantibus ac si ipse ejusq, prædict cum omnibus ritibus et ceremoniis similibus occasionibus perprius usitatis investiti et inaugurati fuiſsent Quocirca Nos pro nobis nostrisq, succeſsoribus Dispensamus in perpetuum In cujus rei Testimonium presentibus magnum sigillum nostrum appendi precepimus Apud aulam nostram de Kensingtoun vigesimo die mensis Aprilis anno domini millesimo sexcentesimo nonagesimo septimo Regniq, nostri anno nono Per Signaturam manu S D N Regis suprasignatam Written to the Great Seal and registrat the thirty day of Aprile 1697 Sic subscribitur Charles Ker. Sealed at Edinburgh the thirty day of Apryl 1697 Sic subscribitur J Home.

[Oath of Parliament taken]

THE said Earl of March and the Lord Burleigh took the Oath of Alleadgeance and subscrived the same with the Aſsurance & Aſsociation.

SIR Robert Monro of Foulis Commiſsioner for the shyre of Roſs took the Oath of Alleadgeance and subscrived the same with the Aſsurance and Aſsociation.

SIR Robert Stewart Commiſsioner for the Burgh of Northberwick took the oath of alleadgeance and subscrived the same with the aſsurance and aſsociation.

AND all the forsaid persons took the oath of Parliament.

MINUTS of the last Sederunt read.

Licence for Inferior Courts to sit

A MOTION being made for a Licence to the Commiſsars of Edinburgh and to all inferior Judicatories to sit till the twenty day of August inclusive The same was granted accordingly.

Warrand for Electing a Commiſsioner for the shyre of Roxburgh.

HIS MAJESTIES high Commiſsioner and the Estates of Parliament in respect of the deceis of Sir William Douglas of Cavers formerly ane of the Commissioners to this present Parliament for the shyre of Roxburgh Grant order and warrant to Archibald Douglas now of Cavers Sherriff principall of the said shyre or his deputs to call and conveen the frecholders of the said shyre together on Tuesday come eight dayes to the usuall place of meeting to the effect they may choise a Com-

mifsioner to the said Parliament in vice of the said deceift Sir William Douglas and ordains intimation hereof to be made in the usuall manner.

Warrand for Electing a Commifsioner for the shyre of Perth

HIS MAJESTIES High Commifsioner and the Estates of Parliament in respect of the Laird of Balhousies being advanced to the dignity of a Viscount formerly one of the Commissioners of this present Parliament for the shyre of Perth Grant order and warrand to the Sherriff principall of the said shyre or his depute to call the freeholders of the said shyre together on Tuesday come eight dayes to the usuall place of meeting to the effect they may choice a Commifsioner to the said Parliament in vice of the said Laird of Balhoussie now Viscount of Dupline and ordains intimation hereof to be made in the usuall manner.

Election of the Committies

ORDERED that the severall Estates of Parliament separate and proceed to elect the Committies following viz. The Committie for the Security of the Kingdom to consist of nyne of every state The Committie for Trade to consist of seven of every state The Committie for contraverted Elections to consist of fyve of every state and the Committie for returning an Answer to the Kings most gracious Letter to consist of one of every state.

WHERUPON the Three Estates haveing separat to their usuall places, They returned to the house and reported their severall elections; And they are as followes.

For the Security of the Kingdom

OF the State of the Nobility the Earl of Melvill Lord President of the Councill the Earls of Argyle, Marischall, Mar, Lothian, Loudoun Leven & Annandale, and the Lord Carmichael.

OF the Commissioners for Shyres Sir Robert Sinclair of Stivenstoun Sir John Home of Blackadder Mr Francis Mountgomery of Giffen the Laird of Rowallan the Laird of Kelburn Sir John Maxwell of Pollock the Laird of Meggins, Mr James Elphinston of Logie, the Laird of Culloden.

OF the Commissioners for Burghs Sir Robert Chieslie, Sir Archbald Muir Mr James Smollet Sir John Hamilton Sir James Scougall William Meinzies Sir Hugh Dalrymple Mr Robert Stewart and Sir William Hamilton.

For Trade

OF the Nobility the Earls of Crauford, Erroll, Eglintoun, Northesk and March the Viscount of Tarbat and Lord Ruthven.

OF the Commissioners for Shyres Sir John Swintoun of that Ilk, Sir Francis Scot of Thirlstain, Sir William Denholm of Westshiells, the Laird of Stonniewood James Scot younger of Logie the Laird of Braco Sir Adam Gordon of Dalfolly.

OF Commissioners for Burghs. James Fletcher John Anderson for Glasgow John Muir for Air John Boiswall Robert Johnstoun Mr Alexr Cunningham and Hugh Brown.

For Contraverted Elections.

OF the Nobility the Earls of Argyle, Finlator, and Carnwath, and the Lords Jedburgh and Bellenden.

OF the Commissioners for Shyres. Sir John Forbes of Craigievar, Sir Colin Campbell of Ardkinglass Sir John Dempster of Pitliver, the Laird of Baldovie, the Laird of Westfield.

OF the Commissioners for Burghs Mr John Murray Mr David Dalrymple Mr William Johnstoun Mr Robert Forbes and Sir Alexander Home.

And for answering the Kings Letter.

OF the Nobility the Earl of Lothian.

OF the Commissioners for Shyres Sir John Maxwell &

OF the Commissioners for Burghs Sir Hugh Dalrymple.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THEN the Lord President by order of His Maties High Commissioner adjourned the Parliament till Saturnday nixt at ten of the clock in the forenoon.

JULY XXIII, M,DC,XCVIII.

PRAYERS said Rolls called.

THE Earl of Buchan and George Baillie of Jerviswood Commissioner for the shyre of Berwick Excused by his Grace His Majesties high Commifsioner, as being necefsarly absent out of the Kingdome. [excused]

THE Lord Duffus the Lord Kinnaird and David Maitland Commissioner for the Burgh of Lauder Excused in respect of their indisposition.

PATENT creating Patrick Lord Polwarth His Majesties High Commissioner Earl of Marchmont,

read and ordered to be recorded, wherof the tenor follows.

Patent in favors of the Earl of Marchmont.

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, defensor Omnibus probis hominibus suis ad quos presentes Literæ nostræ pervenerint Salutem Quandoquidem Nos Regio nostro animo perpendentes officia insignia et fidelia nobis et coronæ ac Regno nostro Scotiæ prestita per fidelisſimum et dilectissimum nostrum Consiliarium Patricium Dominum Polwarth summum nostrum dicti Regni Cancellarium perq, ipsius anteceſsores et progenitores in summis illis provinciis et muneribus civilibus et militaribus per serenissimos nostros decessores Scotiæ Reges iis concreditis (nimirum in officio summi Thesaurarii dicti Regni atq, custodis Limitum orientalium Scotiæ versus Angliam) ipsumq, Patricum Dominum Polwarth plurima egregia et insignia dedisse specimina firmæ suæ adhæsionis Religioni Reformatæ exemplaris etiam ipsius fidelitatis et intaminatæ fidei in asserendis et propugnandis Juribus et prærogativis Coronæ et Monarchiæ ac Legibus et Libertatibus dicti nostri antiqui Regni temporibus etiam periculosisſimis et maximarum difficultatum Nos etiam in memoriam Revocantes quod in celeberrima et gloriosisſima nostra expeditione pro liberandis et preservandis hoc aliisq, nostris Regnis a Papismo et Tyrannide dictus Patricius Dominus Polwarth Nos concomitatus est a Hollandia et continuo ab eo tempore fideliter et diligenter nobis officium præbuit in promovendo et perficiendo auspicatissimo illo proposito atq, etiam officiis et muneribus a nobis ipſi concreditis fidelissime functus est Utq, dictus Patricius Dominus Polwarth ulterius animetur in fidelitate et sedulitate in prestandis ministeriis summis illis muneribus a nobis ipsi concreditis consentaneis persistere Noveritis igitur nos Feciſse Constituiſse et Creaſse sicuti per hasce nostras patentes Literas Facimus Constituimus et Creamus eundem Patricium Dominum Polwarth Comitem de Marchmont Vicecomitem de Blasonberry Dominum Polwarth de Polwarth Redbraes et Greenlaw Damus pariter et Concedimus dicto Patricio Domino Polwarth ejusq, heredibus masculis quibuscunq, omni tempore futuro titulum dignitatem ordinem gradum et honorem Comitis et Vicecomitis cum universis et singulis prerogativis præeminentiis precedentiis privilegiis libertatibus et immunitatibus quibuscunq, eo spectantibus cum quo titulo honore gradu et dignitate per presentes Investimus et Inauguramus dictum Patricium Dominum Polwarth ejusq, heredes masculos Comites de Marchmont Vicecomites de Blasonberry et Dominos de Polwarth Redbraes et Greenlaw omni tempore futuro designandos et appellandos Tenendum et Habendum eundem titulum honorem gradum et dignitatem Comitis et Vicecomitis cum omnibus et singulis prerogativis honoribus et libertatibus eo spectantibus predicto Patricio Domino Polwarth ejusq, antedictis de nobis nostrisq, succeſsoribus in perpetuum in omnibus et singulis Parliamentis generalibus Conciliis Ordinum Conventibus aliisq, publicis Conventibus quibuscunq, cum omnibus et singulis privilegiis et immunitatibus eo spectantibus quæ vel nunc aut in posterum spectaſse seu spectare dignoscuntur ad quemvis Comitem seu Vicecomitem in dicto Regno quovis tempore præterito seu futuro Volumus pariter et Ordinamus quod Uxor et Liberi dicti Patricii Domini Polwarth habebunt et poſsidebunt dignitatem locum et præcedentiam uxoribus et liberis Comitum et Vicecomitum debita Dispensando cum generalitate presentium Imperamus etiam Leoni Regi armorum ejusq, fratribus fœcialibus dare et prescribere dicto Domino Polwarth nunc Comiti de Marchmont ejusmodi additamenta paludamento et insigniis suis gentiliciis quæ talibus casibus sunt usitata Ordinamus deniq, hoc noſtrum diploma adeo validum et sufficiens eſse dicto Domino Polwarth ejusq, predictis pro poſsidendo et gaudendo dicto titulo honore et dignitate Comitis et Vicecomitis cum privilegiis eo spectantibus ac si cum omnibus solemnitatibus antiquitus usitatis Investitus et Inauguratus fuiſset In cujus rei Testimonium Presentibus magnum sigillum nostrum et etiam secretum appendi precepimus Apud aulam nostram de Kensingtoun Vicesimo tertio die mensis Aprilis anno Domini Millesimo sexcentesimo nonagesimo septimo et anno Regni nostri nono. Per signaturam manu S D N Regis suprasignatam Written to the great Seal and Regrat the last day of Aprile 1697 Sic subscribitur Charles Kerr. Sealed at Edinburgh the first day of May 1697 Sic subscribitur J Home. Ed^r the first day of May 1697 The privie Seal appended by Sic ſubscribitur Fran: Wilsone.

PATENT Creating Thomas Hay of Balhousie Viscount of Duppline Read and Ordered to be Recorded, wherof the tenor follows.

Patent in favors of the Viscount of Dupplin.

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, defensor Omnibus probis hominibus suis ad quos presentes Literæ nostræ pervenerint Salutem Quandoquidem Nos ex summa nostra gratia perpendentes preclara admodum et summæ fidei officia per anteceſsores fidelis et dilecti nostri Consiliarii Thomæ Hay de Balhouſsie Coronæ nostræ prestita eundem etiam Thomam Hay insignia dediſse specimina fidelitatis suæ fervidi etiam amoris erga Regimen et personam nostram Ob hasce igitur et multas alias magni momenti rationes insignem et durabilem Regiæ noſtræ munificentiæ characterem in dictum Thomam Hay de Balhouſsie ejusq, heredes masculos de corpore suo legitime procreatos Quibus deficientibus heredes ejus talliæ conferre Statuimus

unde ipsis ulterius animus addatur quinetiam validiores reddantur ex omni occasione Nobis et Regiis nostris successoribus majoris momenti officia et ministeria prestare Noveritis igitur Nos Nominasse Feciſse Constituiſse et Creaſse sicuti tenore presentium Nos (tanquam fons et scaturigo prima a quibus omnes honoris et dignitatis tituli in subditos nostros de nobis bene meritos unice promanant) Nominamus Facimus Constituimus et Creamus præfatum Thomam Hay de Balhouſsie Vicecomitem et liberum Parliamenti Dominum dicti antiqui Regni nostri Vicecomitem de Dupplin Dominum Balhouſsie nominandum et appellandum Inq, eundem Thomam Hay de Balhouſsie et heredes masculos de Corpore ejus legitime procreatos quibus deficieñ heredes ejus talliæ titulum stilum gradum dignitatem et honorem Vicecomitis et liberi Parliamenti Domini ut predicitur Damus et Conferimus Cum plenaria potestate jure et authoritate præfato Thomæ Hay ejusq, antedictis eodem fruendi et gaudendi Cum universis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq, eo attinentibus quibuscum nos prefatum Thomam Hay de Balhouſsie ejusq, antedictos Nobilitamus et Investimus Et speciatim cum libero in Parliamento suffragio Tenendum dictum titulum stilum gradum dignitatem et honorem Vicecomitis et liberi Parliamenti domini cum universis et singulis prærogativis præcedentiis privilegiis immunitatibus aliisq, quibuscunq, eo spectantibus per eundem Thomam Hay de Balhouſsie ejusq, prædictos de nobis nostrisq, antedictis in omnibus Parliamentis Ordinum Conventibus generalibus Conciliis aliisq, congreſsibus publicis seu privatis in dicto antiquo Regno nostro tam plenarie et libere in quovis respectu et conditione quam quilibet alius Vicecomes et liber Parliamenti Dominus simili titulo stilo gradu dignitate et honore cum omnibus privilegiis aliisq, quibuscunq, eo spectantibus perprius usus et gavisus est tempore præterito seu in posterum uti et gaudere poterit Leoni porro armorum Regi ejusq, fratribus fœcialibus Imperamus ut præfato Thomæ Hay de Balhouſsie nupe Vicecomiti de Dupplin talia prioribus insigniis ejus gentiliciis additamenta (per eum ejusq, antedictos utenda) qualia ipsi illisq, convenientia et congrua ac similibus occasionibus usitata videbuntur Dent et Prescribant Declaramus itidem et Ordinamus hasce nostras patentes Literas magno nostro Sigillo munitas adeo validas et sufficientes fore præfato Thomæ Hay de Balhouſsie nunc Vicecomiti de Dupplin & Domino Balhouſsie ejusq, prescriptis pro poſsidendo dicto titulo stilo gradu dignitate et honore Vicecomitis et liberi Parliamenti Domini cum universis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus immunitatibus aliisq, quibuscunq, eo spectantibus quoad omnes fines et proposita ac si cum formalitatibus ritibus et solemnitatibus quibuscunq, similibus occasionibus perprius usitatis Investiti et Inaugurati essent Quocirca Nos pro nobis nostrisq, Regiis successoribus Dispensavimus perq, presentes in perpetuum Dispensamus In cujus rei Testimonium Presentibus magnum sigillum nostrum appendi precepimus Apud aulam nostram de Kensingtoun Trigesimo primo die mensis Decembris annq Domini Millesimo sexcentesimo nonagesimo septimo Regniq, nostri anno nono. Per signaturam manu S D N Regis suprasignatam. Written to the great Seal and registrat the thirteenth day of January 1698 Sic subscribitur Dun: Ronald dp' Sealed at Edinburgh the thirteenth day of January 1698 Sic subscribitur J Home.

WHERUPON the said Viscount of Dupline took the Oath of Alleadgeance and subscribed the same with the Assurance and Association, and took the Oath of Parliament.

MINUTS of the last Sederunt read

Order allowing severall members' absent the last Sesion of Parliament to subscribe the Association

QUESTION moved whither the Commiſsioners of Shyres and Burghs who were absent last Seſsion of Parliament and had not then or since in the terms of the order Subscrived the Aſsociation but in whose place no new Commiſsioners were chosen and returned should yet be allowed to subscribe and after some debate the question being put allow or not it was carried in the affirmative.

WHERUPON Major Hugh Buntein of Kilbryde Commiſsioner for the Shyre of Air, Mr William Stewart of Ambrismore Commiſsioner for the Shyre of Bute Sir John Forbes of Craigievar and Samuel Forbes of Foveran Commiſsioners for the Shyre of Aberdeen, as also John Boswall Commiſsioner for the Burgh of Kirkcaldie John Cuthbert Commiſsioner for the Burgh of Inverneſs Patrick Wallace Commiſsioner for the Burgh of Kinghorn and William Roſs Commiſsioner for the Burgh of Tayne subscrived the Aſsociation.

THE Earls of Erroll, Sutherland Findlator and Annandale and the Viscount of Tarbat who had not formerly subscribed the Aſsociation did now subscribe it.

OBJECTION moved against Patrick Steven Commiſsioner for the Burgh of Aberbrothock that he could not now be allowed to subscribe the Aſsociation in respect he had been present the last Seſsion of Parliam' and absented from the subscribeing and the consideration therof remitted to the Committie for Contraverted Elections.

[Anent the Forces]

OVERTURE brought in from the Committie for Security of the Kingdom That it was neceſsary for the support of the Government & safety of the

Kingdom that the number of the forces upon the present establishment should be continued, Read.

AND the Establishment of the forces with an abbreviat of the number of the forces and of their pay being also read and the matter fully debated the vote was put in these terms; Whither the number of the forces upon the present Establishment should be continued or restricted and it was carried Continued.

REMITTED to the Committie for Security of the Kingdom to consider on the time that the said number of forces were to be continued, and on the fonds for mentaining therof and to report.

[African Company] PETITION for the African Company presented and aggried to be read the nixt Sederunt of Parliament

THE Committies appointed to meet on Munday at ten of the clock in the usuall places.

THEN the Lord President by order of His Majesties High Commissioner adjourned the Parliament till Wednesday nixt at ten of the clock in the forenoon.

JULY XXVII, M,DC,XCVIII.

PRAYERS said Rolls called

[The Earl of Aboyne] THE Earl of Aboyne compearing and offering to take his place in Parliament It was objected that he had been bred and was a profesed Papist and ought not to be allowed to sit in Parliament till satisfaction were given that he had relinquished the Popish errors and embraced the true Protestant religion. But the Earl declaring openly in Parliament that he had embraced the true Protestant religion and owned the Confession of Faith of this Church as agreeable to the word of God and that he had joyned himself to the Protestant Church of this Kingdome by communicating therwith in worship and ordinances And being confirmed by the President of the Parliament who attested that he had seen so much under his Lordships hand, And severall members of Parliament declaring lykewayes their certain knowledge of the premisses the Earl was allowed to qualifie himself by takeing the Oath of Alleadgeance and subscribing the same with the Assurance & Association and takeing the Oath of Parliament and took his place accordingly.

[Members excused] THE Earl of Ruglen the Lord Lindoirs Sir Thomas Burnet of Leyes Commissioner for the Shyre of Kincardine and the Laird of Broddie Commissioner for the Shyre of Elgine excused by his Grace his Majesties High Commissioner in respect of their necessary absence.

SIR Duncan Campbell of Auchinbreck Commissioner for the Shyre of Argyle and Mr Kenneth McKenzie of Cromarty Commissioner for the Shyre of Cromarty being absent last Session of Parliam^{t} and not haveing subscribed the Association did now subscribe it.

MINUTS of the last Sederunt read

[Report &c. anent the Forces] REPORT from the Committie for Security of the Kingdom That fonds be given for maintainance of the number of the forces upon the present establishment for two years viz. from Martinmas 1698 to Martinmas 1700 Read.

AND upon the debate in the House an Overture was made Then the Question being stated if the vote should be Approve of the report of the Committie or not or Approve of the Overture or not It carried approve of the Report of the Committie or not Then the vote being put approve of the Report of the Committie or not, it carried Approve.

THE severall Overtures reported from the Committie for Security for fonds necesary for maintaining the forces: And some other Overtures being made in plain Parliament, And after some debate the further consideration therof was remitted to the Committie for Security of the Kingdom

[African Company] PETITION from the African Company with the Memoriall therin mentioned read and ordained to be again read and considered the first Sederunt of the Parliament nixt week

[Laird of Westfield against the Laird of Grant] PETITION the Laird of Westfield Shierriff of Murray against the Laird of Grant Read, Craveing a hearing of the cause betwixt them Remitted by the Lords of Session to the Parliament and Wednesday appointed for that effect

[Mr Mark Ker & Mr James Stewart Advocats] PETITION for Mr Mark Ker and another Petition for Mr James Steuart of Christwell Craveing that they may be allowed to qualifie themselves to the effect they may be restored to the exercise of their Imployments as Advocates moved and the consideration therof Remitted to the Committie for Security of the Kingdome

[Fothringham of Powrie against Lord Gray] PETITION Thomas Fothringhame of Pourie Craveing a warrand to cite the Lord Gray and others formerly cited befor the Parliament to

compear on six dayes to the effect therin mentioned moved and a warrand granted accordingly.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THE Lord President by order of His Majesties High Commissioner adjourned the Parliament till Friday nixt at ten of the clock in the forenoon.

JULY XXIX, M,DC,XCVIII.

PRAYERS said Rolls called

[Protestation Earl of Glencairn] THE Earl of Glencairn taking his place this day in Parliament protested against the Earle of Buchans being called before him in the Rolls of Parliament

[Commission for Cromarty] COMMISSION to Mr Roderick McKenzie of Prestounhall for Representing the Shyre of Cromarty in place of John Urquhart of Craighouse presented and read And it being objected that the Commission declared the former Commission to John Urquhart voyd and null which was not in the power of freeholders to do without expres warrand of Parliament After some debate it was put to the vote, Proceed to consider the said Commission in plain Parliament or Remit the same to the Committie for Contraverted Elections and it carried Remit.

MINUTS of the last Sederunt read

Report and approbation therof in favors of Patrick Steven Commissioner for Aberbrothock AT EDINBURGH the twenty nynth day of July Imo vjc and nynety eight years Anent the Report brought in from the Committie for Contraverted Elections of the date the twenty eight day of July instant Bearing that it was their unanimous opinion that Patrick Steven Commissioner for the Burgh of Aberbrothock ought yet to be admitted to signe the Association and be continued a member for that place Because the Committie haveing considered his cafe and the objection made against him marked in the Minuts of the 23 July instant. It appeared to the Committie that he was elected to serve in the meeting of Estates and has ever since continued in all the subsequent Sefsions of this current Parliament And that the said Patrick Steven was not come up when the Association was signed by the House and that he had gone home befor the date of the order appointing absent members to signe it And had a probable cause of ignorance that there was any Certification or precise day affixed for signeing therof and that his going home was occasioned by the season being in harvest time All which he solemnly declared and was ready to depone in presence of the Committie And seeing the Parliament had allowed other members of all the three Estates who had omitted to sign the Association yet to signe the same and that the Burgh of Aberbrothock had made no new election and therby had signified the continuation of their choise there appeared to be no speciall reason why the said Patrick Steven ought to be excluded from the said favour as the said report bears Which being this day Read in presence of and considered by His Majefties High Commissioner and the Estates of Parliament the same was by them voted and approven in Parliament and the above Patrick Steven ordained to sign the Association and be continued a member for the Burgh of Aberbrothock. Whereupon the said Patrick Steven Subscryved the Association

[Members who are Advocats to plead] A MOTION made that such members of the House as are Advocats be allowed to plead in causes befor the Parliament wherin they have been or may be imployed as Advocats, The same was allowed.

[Anent the maintaining of the Forces] REPORT from the Committie for Security of the Kingdom that Eight moneths Land Cefs yearly for two years was a proper and effectuall fond towards the maintaining the number of the forces upon the present Establishment And that in payment of arents the said two years Debitors should have retention in their own hands of one of six per Cent. for one year Read

A MOTION made that an account be given in Parliament how the fonds imposed last Sefsion were imployed; and that the same be Examined before the Parliament proceed to the Consideration of the said report. The accompt and state of the said fonds by way of Charge and Discharge was produced and ordained to lye on the table

AND after debate the question was first stated if the vote should be Approve of the report of the Committie joyntly or separately it Carried joyntly: Then it being put to the vote Approve of the report of the Committie or not, Carried Approve.

DRAUGHT of an Act offering the sum of One million one hundreth and fifty two thousand pounds as Sixteen moneths supply for two years for maintaining the forces upon the present establishment brought in from the Committie for Security Read for the first tyme and ordained to lye on the table.

[Commissioners of Supply] INTIMAT that the members might offer additionall Commissioners for the Supply again the nixt reading of the said Act

[Mr George Campbell merchant in Edinburgh]

PETITION Mr George Campbell merchant in Edinburgh for a personall protection read and ordered to lye on the table.

WHEREUPON a motion being made that an Act be brought in for regulating the granting of protections: The same was remitted to the Committie for Security of the Kingdom

[Dalzell of Binns agt Mure of Caldwall]

PETITION Thomas Dalzell of Binns, quarrelling the Act Rescinding the forfalture of the deceift William Mure of Caldwall and Craveing warrand to cite his representatives Read and the Question stated Reject or Cite the Ingiver after Liberty Craved was allowed to withdraw the said Petition

THE Committies appointed to meet to morrow at nyne of the Clock in the usuall places.

THE Lord President by order of his Majesties High Commissioner adjourned the Parliament till the morrow at ten of the clock in the forenoon.

JULY XXX, M,DC,XCVIII.

PRAYERS said Rolls called

[Protestation Marques of Douglas]

THE Lord Carmichael in name of the Marques of Douglas Protested that the calling of any other in the Rolls of Parliament before the Marques might not prejudge him of his Right of being first Called and haveing the first vote in Parliament.

[Members excused]

ADAM Drummond of Meggins and Robert Hay of Strowie Commissioners for the shyre of Perth Excused by his Grace His Majesties high Commissioner in respect of their necessary absence.

Warrand for Electing a Commissioner for the Burgh of Renfrew

COMMISSION to Robert Hall of Fulbar for representing the Burgh of Renfrew in place of Mr William Cochran of Kilmarronnock presented and read and it being objected that the electors had not before Electing qualified themselves in the terms of the Law and that therfor the Provost of the said Burgh had protested against the Election and an instrument taken therupon being also produced the Commission was rejected, and the Burgh of Renfrew appointed to proceed to a new election

MINUTS of the last Sederunt read

[Dalzell of Binns agt Mure of Caldwall]

MOVED that the Petition Thomas Dalzell of Binns against the Representatives of William Mure of Caldwall allowed the last Sederunt to be withdrawn might be again taken to consideration and either granted or rejected The Petition was again read and after some debate the vote being put Grant or Refuse; it carried Refuse.

[Act for a Supply]

ACT for the Sixteen moneths Supply offered to his Majestie, Read a second time and after some debate anent the terms of payment It was put to the vote If one moneths supply of the said sixteen should be payable at Martinmas nixt or not and carried in the affirmative Therafter it was put to the vote whither two or three moneths should be payable at Candlemas 1699 and carried three And then it was agreed that the nixt two moneths supply should be payable at Lambmas and so two moneths from term to term quarterly to the term of Martinmas 1700 inclusive: Therafter the Act again read and after some amendments voted and approven.

[Mr James Daes of Coldingknows]

PETITION Mr James Daes of Coldingknows Craveing repetition of a sum as the composition for a fyne imposed on him And also Craveing that he might be restored to the exercise of his imployment as an Advocat, Read and the desire therof as to the repetition refused But the Consideration of the Petition as to his being allowed to qualifie himself Remitted to the Committie for Security of the Kingdom.

DRAUGHT of the Parliaments answer to the Kings Letter brought in from the Committie to whom the same was remitted Read and after some amendments again read voted and approven Wherof the tenor follows.

May it please your Majestie

The Parliaments Answer to the Kings Letter

WE have received your Majesties most gracious Letter wherin you are pleased to honour us with your thanks for the proofs of our loyalty and affection to your Royall person and government which were only our dutifull returns for the great manifold and continued blessings we enjoy by your Majesties happy accession to the Crown and most happy reigne over us

WE were rescued by your Majestie our great delyverer under God from all the miseries of popery and tirrany and restored to those inestimable benefites of our Religion Laws and liberties which your Majesty hath constantly mentained through all the labours and hazards of a long and bloody war untill you have at length established our delyverance as well as the quiet and security of Christendom by a happy and honourable peace

YOUR Royall care of us dureing the war was also signally expressed by the frequent Sessions of Par-

liament then held in your absence by your Majesties appointment wherein by your Royall wisdom and authority so many good and excellent Laws have been made for establishing Religion setleing presbiterian government in this Church promoteing piety and secureing our rights and properties as will undoubtedly render your Reigne and fame glorious to posterity.

AND to demonstrat yet furder the satisfaction your Majestie allwayes takes in the prosperity and happineſs of your Subjects you have been pleased in your gracious and continued confidence in us to call us together once more in your absence and that for no other end than to provyde for our own safety against these remaining dangers which your Majestie (most capable to decerne) doth so vigilantly & seasonably point out unto us and to advance our own wellfare by adding more good laws if needfull for repreſsing irreligion and immorality the better setling and clearing of property and the recovering and increaseing of trade and commerce.

FOR which ends We humbly acknowledge the wise and good choiſe your Majestie hath made of the Earl of Marchmont to be your Commiſsioner to represent your sacred person in this seſsion of Parliament whose fidelity and zeal so eminently witneſsed on all occasions for your Maties Service with his fitneſs and abilities for dischargeing of this trust so justly approved by your Matie are to us most acceptable.

WE have as well in deference to your Majesties Royall Judgement as from the conviction of our own circumstances Found that for the Safety and Security of the Kingdom the number of the forces upon the present establishment should be continued and for their mentainance have provided fonds for two years after November next nor shall we be leſs carefull of what else may concern your Majesties service being fully convinced that your Matie places great satisfaction in the safety wellfare and prosperity of this your ancient Kingdom.

THE hope your Majestie gives us of the honour of your Royall presence amongst us hath been very encourageing and with all emboldens us to expect that with your Majesties convenience we shall thereby have our happiness encreased and farder established.

IT remains that we add our earnest prayers to God Almighty to preserve your Royall Perſone and to continue to prosper you in all your great undertakeing for the protecting and defending of the true protestant Religion and the setleing and preserveing the peace of Europe And that he would bleſs both your Majestie and all your good Subjects with your long prosperous and most happy Reigne to your Majesties intire satisfaction and their greatest comfort. Subscryved in presence by warrant and in name of the Estates of Parliament by

May it please your Majestie
Your Majesties most humble most obedient and most faithfull subject and servant

Sic Subscribitur SEAFIELD I P D P

Edinb^r^
30 July 1698

ACT for the Supply touched with the Scepter by His Majesties High Commiſsioner in the usuall manner

ACT anent the Supply of Sixteen Months Ceſs upon the Land Rent

THE ESTATES of Parliament takeing to their consideration that it is neceſsary for the safety and security of the Kingdom that the number of Forces upon the present Establishment be continued for two years after the moneth of November nixt and that new Supplyes be given for their mentainance Do therefor consent to the said continuance and humbly and cheerfully for themselves and in name of this Kingdome whom they do represent Make offer to His Majestie of a Supply of One Million one hundred and fifty two thousand pounds Scots extending to Sixteen moneths Ceſs Which new Supply is to be raised & uplifted out of the Land Rent of this Kingdom in manner and conform to the proportions of the Shyres and Burghs contained in the first Act sixth Seſsion of this current Parliament dated the twenty fyfth of September one thousand six hundred nynety six: And this Supply to be payed at the terms following viz. one moneths Ceſs at Martinmaſs nixt and that over and above the two moneths payable at the same term of Martinmaſs by the said first Act of the sixth Seſsion of this Parliament three moneths Ceſs at Candlemaſs one thousand six hundred nynety nyne two moneths Ceſs at the term of Lambmas therafter two moneths Ceſs at the term of Martinmaſs therafter two moneths Ceſs at the term of Candlemaſs one thousand seven hundred two moneths Ceſs at the term of Whitsunday therafter two moneths Ceſs at the term of Lambmas therafter and the last two moneths Ceſs of the said sixteen moneths makeing up the forsaid sum of one million one hundred and fifty two thousand pounds at the terme of Martinmaſs thereafter And His Majestie Considering that this Supply is granted for such a neceſsary use Doth with advice and consent of the Estates of Parliament Declare that no person or persons shall be Exempted from payment of their proportions of this Supply for their Lands upon 1

any pretence whatsomever excepting mortified Lands and the Lands of Newmylns belonging to the Woolen Manufactory there For which mortified Lands and Lands of Newmylns deduction is to be allowed in the quota of the respective Shyres notwithstanding of any former Law priviledge or Act of Parliament in the contrare And His Majestie with advyce & consent forsaid Doth nominat and appoint the same persons who are named in the sixth Act Sefsion 2d and in the seventh Act Sefsion fyfth and in the forsaid first Act Sefsion sixth of this current Parliament who are alyve and have qualified themselves according to Law or shall qualifie themselves betwixt and the first Tuesday of October nixt to come and such others as shall be nominat in this present Sefsion of Parliament to be Commifsioners for ordering and uplifting this Supply with the same power to them to choise their own Clerk and to do every thing that may concern the said Supply as is prescribed and appointed by the said Acts holding the same as herein repeated And ordains the same execution to pafs for inbringing therof as is provyded by the said Acts in all points And ordaines the first meeting of the said Commifsioners for the Shyres to be at the respective head Burghs therof the second Tuesday of October nixt to come And requires the Sheriffs and Stewarts or their deputs to intimat the same to the Commifsioners of the reſive Shyres and Stewartries with power to them to appoint the subsequent dyets of meeting and their Conveeners ffom time to time And also to appoint Collectors with sufficient Caution as they shall think fit And commits to His Majesties Privy Councill upon the death or not acceptance of any of the Commifsioners of Supply appointed by this Act to nominat and appoint others in their places And His Majestie with advyce and consent forsaid doth Declare that all Clauses contained in the former Acts of Parliament and Convention of Estates in relation to the inbringing of Cefs and quartering and anent ryding money shall stand in full force as to this Supply now imposed in the same manner as if they were herein insert except in so far as these Acts of Parliament and Convention are innovat or altered by the forsaid sixth seventh and first Acts of the second fifth and sixth Sefsions of this current Parliament And it is hereby Declared that no persons lyable in payment of this Supply shall be holden to produce their discharges nor receipts of the same after three years from their respective terms of payment unlefs diligence be done by denunciation before the elapsing of the said three years And because by the Supply hereby Granted the Land rent and Burghs of this Kingdom are only burdened and it being just that the personall Estates in money should bear some proportion of the burden Therefor His Majestie with advyce and consent forsaid Statutes and Ordains that every Debitor owing money within the Kingdom at six per Cent. of interest shall in the payment of his ärents the said two years have retention in his own hands of a twelfth part of six per Cent. And this two years Retention to be from Martinmafs nixt to come to Martinmafs One thoufand feven hundreth And it is hereby Declared that it shall be usury for any Creditor to refuse to grant the said retention.

FOLLOWES the Commifsioners of Supplie given in by the Noblemen and the Commissioners for the severall Shyres as was ordered in Parliament.

For the Shyre of Edinburgh

THE Earl of Ruglen, Sir Charles Ker, Sir Thomas Moncrief of that Ilk Mr James Elphinston of Logie Sir William Paterson of Grantoun Baronet John Paterson younger of Grantoun Mr John Mc-Kenzie of Cramond James Rochead of Inuerleith George Warrander of Bruntisfield John Pringle of Torsonce George Pringle of Haltree Thomas Inglish of Mannerhead.

For the Shyre of Haddingtoun

The Earl of Lauderdale the Lord Yester the Lord Elibank John Master of Belhaven Sir William Paterson of Grantoun John Paterson his son John Marjoribanks of Leuchie George Lothian of Belshis Francis Kinloch of Gilmertoun younger, Henry Borthwick of Pilmour Mr John Hay younger of Lethem Sir John Hume of Blackadder the Laird of Linplum younger

For the Shyre of Berwick

Sir Andrew Hume Sherriff depute William Purves younger of that Ilk Halyburton of Newmaynes Patrick Craw of Haughead Home younger of Oxmuir Mr William Hay of Drummelgiour Sir Robert Sinclair of Longfarmacus Douglas of Edringtoun

For the Syre of Roxburgh

Andrew Ker younger of Greenhead, Andrew Ker younger of Lintoun Robert Pringle younger of Cliftoun Walter Scot younger of Woll Alexander Don of Woodside William Elliot younger of Harrot Thomas Scot of Chappell Adam Scot younger of Burnfoot upon Teviot Patrick Murray younger of Cherrytrees Robert Rutherford of Kaiphope Robert Scot of Hafsinden John Simpson younger of Sharplaw Mr James Douglas Sherriff depute of Roxburgh James Morison of Masondew Walter Ker younger of Littledean Thomas Porteous portioner of Netherancrum Thomas Turnbull of Know Walter Scot of Alton Thomas Turnbull of Standhill William Turnbull of Tofts Charles Scot of Crumhaugh William Glaidstones portioner of Semistoun John Davidson of Blackhope Walter Elliot of Erckerton Mr William Chisholm of Stirkshaws John Chisholm of Stirk-

shaws younger Henry Young of Oxnamsyde William Elliot younger of Swinside William Ker of Crokedshaws Adam Scot of Galalaw William Ker portioner in Cavertoun William Mader of Langtoun Henry Douglas of Friershaw.

For the Shyre of Selkirk

The Earl of Dalkeith William Scot younger of Thirlstone Sir Gilbert Elliot of Headshaw John Pringle of Whitebank Patrick Ker of Fairnilie.

For the Shyre of Lanerk

The Duke of Hamilton the Earl of Ruglen Thomas Inglis younger of Eastshiells Thomas Carmichael of Eastend William Bartram younger of Nisbitt William Broun of Lindsaylands John Couter of Coutermains Dickson of Hartry.

For the Shyre of Dumfreis

James Duke of Queensberry John Earl of Carnwath William Earl of Annandale Sir Alexander Jardin of Apelgirth Sir Thomas Kilpatrick of Closburn Sir Robert Lourie of Maxweltoun Sir James Johnstoun of Westerhall the Laird of Kelhead younger the Laird of Dornock the Laird of Holmaynes the Laird of Lag younger the Laird of Closburne younger the Laird of Westerhall younger the Laird of Craufordtoun the Laird of Frierſhaw the Laird of Enoch the Laird of Eccles the Laird of Elsheshiells the Laird of Midlebie the Laird of Hoddom the Laird of Corhead the Laird of Drumcrief the Laird of Croglin younger the Laird of Caitloch younger the Laird of Bogrie the Laird of Capinoch the Laird of Dalgoner the Laird of Barjarg the Laird of Dalswintoun the Laird of Carnsalloch Mr Alexander Ferguson of Isle the Laird of Steelstoun the Laird of Colistoun Mr Thomas Rome of Clouden the Provost of Dumfreis for the time the Laird of Portract John Dalrymple of Waterside James Wallace of Caryeeld William Douglas younger of Fingland William Douglas of Arkland Mr John Cunningham of Birkshaw Tutor of Craigdarroch the Sheriff depute of Dumfreis for the time the Laird of Grantoun the Laird of Newtoun the Laird of Bearholm the Laird of Selcoath the Laird of Brakenside the Laird of Girthhead the Laird of Shaw the Laird of Persbiehall the Lairds of Arkiltoun elder & younger the Laird of Craickhaugh the Laird of Howes the Laird of Woolcoats the Laird of Mosknow the Laird of Dormont the Laird of Denbie the Laird of Westerkier Mr William Johnstoun son to Sir James Johnstoun of Westerhall the Dutches of Buccleughs Chamberland for the time the Earl of Nithsdales Chamberland for the time Wm Whyte Chamberland to the Earl of Annandale.

For the Shyre of Dumbarton

The Laird of Kilmahew Tobias Smallet younger of Bonnill Colin Campbell of Ardintainie Hugh Crauford of Cloberhill Donald and Archbald Campbells of Rachaine Mr John Campbell brother german to the Earl of Argyle.

For the Shyre of Bute

The Duke of Hamilton the Magistrats of Rothesay for the time being John Glass portioner of Middascog Robert Stewart of Lochlie William Stewart of Mecknoch John Stewart of Killwhinleck Ninian Steuart of Largizean.

For the Shyre of Renfrew

The Lord Kilmaers William Cochran of Ferguslie Alexander Cochran younger of Craigmuir James Maxwell of Williamwood.

For the Shyre of Stirling

Sir William Bruce of Stanehouse the Laird of Dunnipace the Laird of Auchinbowie James Bruce of Powfoullis the Laird of Craigbarnet James Guidlet of Abateshaugh Sir Mungo Stirling of Glorat Captain John Erskine in Stirling Castle Mr Francis Napeir of Craiggannat John Buchannan younger of Carbeth John Spreul of Milntoun tutor to Stirling of Law Walter Buchannan of Gilliestoun William Buchannan younger of Auchinmarr James Dow of Bandeath Thomas Rufsell of Elrig John Hadden of Myretoun John Erskine younger of Balgounie John Hunter of Forresters Saltcoats Alexander Lindsay younger of Balquharrage John Willieson of Dorrator.

For the Shyre of Linlithgow

The Duke of Hamilton the Earl of Annandale Mr John Montgomery of Wrae John Hamilton of Dechmont Thomas Hamilton of Boghead

For the Shyre of Perth

James Campbell younger of Aberruchill Patrick Campbell of Monzie John Drummond younger of Megginsh the Lord Elcho Lord James Murray James Drummond younger of Blair

For the Shyre of Kincardine

The Earl Marischall Alexander Burnet of Leyes younger Peter Forbes of Bafour Mr Alexander Thomson of Portlethem-Collonell-James Ferguson of Kirkmichael.

For the Shyre of Aberdeen

The Earl Marischall the Earl of Aboyne the Lord Hay the Lord Haddo Sir James Scougall of Whytehill John Gordon of Halhead Mr Archbald Farquharson of Cults George Leith of Overhall the Lairds of Leyes elder and younger Alexander Rofs of Lethintie the Laird of Pittodrie John Forbes of Inuernetty William Hay of Crimonmogat the Laird of Inuerhall Gordon of Blelack Joseph Brodie of Muiresk John Ramsay

of Leathers James Miln of Blairtoun Irving of Drum Donald Farquharson of Balfour Francis Roſs younger of Auchloſsen William Baird of Auchmedden George Davidson of Cairnbrogy M[r] John Keith of Glasgow James Auchterlony of Seatoun M[r] Patrick Leith of Craighall Meldrum of Hatton William Frazer of Inverallochie George Forbes of Kebbity Charles Roſs of Cloak Charles Innes of Belnaboth George Calder of Aswanly Alexander Hay of Knockando Chamberland to the Earl of Erroll James Gordon of Barns the Laird of Meldrum Alexander Keith of Miltoun Peter Strachan of Aughnagat M[r] Robert Paterson Commiſsar of Aberdeen M[r] John Mowat of Lescragie Advocat Alexander Kerr in Kildrimmie Robert Arbuthnot Chamberland to the Earl Marischall James Scot of Blackwater Alexander Hay of Knockhoudy Walter Hay of Brunthill

For the Shyre of Inverneſs

John Forbes younger of Culloden Alexander Grant younger of that Ilk William Baillie Commiſsar of Inverneſs John Cuthbert younger of Castlehill.

For the Shyre of Nairn

Alexander Dumbar of Boath Hugh Roſs of Clova younger James Roſs of Cantradown James Sutherland of Kinsterie Alexander Falconer of Blackhills

For the Shyre of Argyle

The Earl of Lauderdale John Campbell of Glensaildell Archbald Campbell Tutor of Isla John Campbell younger of Auchinwilling

For the Shyre of Fyfe

The Earl of Crauford The Lord Elcho

For the Shyre of Bamff

The Earl Marischall Alexander Sutherland of Kilmeinnity Nicholas Dumbar of Castlefield Robert Grant of Dunlugoſs Charles Gordon of Glengerrat James Dumbar younger of Durn The Laird of Auchmedden Robert Arbuthnet Chamberland to the Earl Marischall.

For the Shyre of Elgin

Sir William Dumbar of Durn Thomas Tulloch younger of Tannachies Alexander Grant younger of that Ilk M[r] John Innes of Leuchers.

For the Stewartry of Orknay & Zetland

For Orknay

Robert Stewart of Newwork Thomas Buchannan of Sandsyde James Graham of Grahamshall James Baikie of Tankerneſs Henry Graham of Braikneſs John Steuart of Brough Alexander Douglas of Eagilshay Hugh Baikie of Burneſs Patrick Bellenden Tutor of Stenhouse John Traill of Elsneſs David Traill of Sabay Sir W[m] Craigie of Gairsey William Craigie younger of Gairsey The Stewart of Orknay and his deputs for the tyme.

For Zetland

Laurance Sinclair of Queendaill Andrew Bruce of Mowneſs Laurance Steuart of Bigtoun M[r] John Mitchell of Westshore James Scot of Vosgarth Andrew Mowat of Garthe Patrick Leslie of Ustaneſs John Giffard of Busta John Bruce of Aith James Mitchell of Girlestane Charles Sinclair Tutor of Scalloway Ninian Neven of Scoursburgh Andrew Bruce of Brewick and William Henderson of Gairdie The Stewart of Zetland and his deputs for the time

For the Shire of Clackmannan

Captain John Areskine, M[r] Robert Steuart one of the Commiſsars of Edinburgh, Alexander Inglis Factor to the Estate of Clackmannan George Colquhoun of Balhartie

For the Shyre of Roſs

Hector Monro of Novarr, M[r] Andrew Monro of Techerin Alexander Duff of Drummuir Kenneth M[c]kenzie younger of Foyrartoun Andrew Monro younger of Logie William M[c]kenzie younger of Balladuffie.

THE Committies appointed to meet on Monday at nyne a clock in the usuall places

THE Lord President by order of His Majesties High Commiſsioner Adjourned the Parliament till Wednesday next, at ten of the clock in the forenoon.

AUGUST III, M,DC,XCVIII.

PRAYERS said Rolls called

MINUTS of the laſt Sederunt read

PETITION the Councill Generall of the Company tradeing to Affrica & the Indies Read; And after some debate It was put to the vote Remitt the Consideratione of the Petition to the Committie for Security of the Kingdom or to a new Committie to be Chosen for that effect and it carried to the Committie for Security; And accordingly it was Remitted to the said Committie to Consider the Petition with the instructions therof and to bring in a report the nixt Sederunt of Parliament [African Company]

THE hearing of the Cause betwixt the Laird of Grant and the Sheriff of Murray delayed till the first Sederunt of Parliament nixt week. [Laird of Grant ag[t] the Sheriff of Murray]

[Overtures of Acts remitted to the Committie for Security]

OVERTURE for Acts to be made viz. An Act for the more effectuall Restraining of clandestine and irregular Marriages and Baptisms. An Act anent the Confirming of Testaments in favors of Minors and Absents out of the Kingdome. An Act for Repareing of high ways and filling up of Coalpits, all Remitted to the Committie for Security.

[Anent the Poor]

OVERTURE and Remit to the Committie for Security to Consider the former Laws anent provideing for the Poor and what farder proposalls may be made thereanent and to bring in an Act for that effect.

[Registrating of Inhibitions and Interdictions]

OVERTURE for an Act anent Execuleing and Registrating of Inhibitions and Interdictions appointed to lye on the table.

[Overtures of Acts remitted to the Committie of Trade]

OVERTURE for Acts to be made viz. Act for better Execution of the Acts anent Scots Linnen, Act anent the Entering of Goods, Act against pock-net fishing on the water of Forth, An Act anent salmond herring and white fishing, all Remitted to the Committie of Trade.

PETITION Joseph Ormiestoun and William Elliot for the winding throwing twisting and dying of Raw Silk, And Act and Ratification in favors of the Glafs Manufactory at Morisons haven Read and Remitted also to the said Committie.

[Petitions Burghs of Barony & Regality]

PETITION the Tradesmen of Musleburgh against Mr John Buchan, Petition the Toun of Kelso for themselves and in name of the haill Burghs of Barony and Regality of the Kingdom, Petition for the Tradesmen in Prestoun and Prestounpans, Petition for the toun of Borroustounnefs and Grangepans with a Representation for the Inhabitants of the Shyre of Air &c. all Ordered to be seen and answered by the said Mr John Buchan against the nixt Sederunt of Parliament.

Act in favors of Lord Basil Hamilton

AT EDINBURGH the third day of August Ico vjc and nynety eight years Anent the Petition given in & presented to His Majesties High Commissioner and the Right Honourable the Estates of Parliament by Lord Basil Hamilton humbly Shewing that wheras a considerable part of the Petitioners estate being imparked about his house of Baldoon and there being a way from Kirkender to Stewartoun which lyes through the park the Petitioner sustains a very great prejudice by eating of his grafs and corns and cutting of a small wood within the park and keeping the park open And seeing Stewartoun to which the said way leads belongs to the Petitioner himselfe as lykewayes the ground on the outside of the park and that the said way is not properly a high way to any kirk or mercat nor to any Gentlemans house and that the Law allowes for the convenience of parks and enclosers that even a publict high way may be casten about for some distance And it being absolutely necefsar that the said way through the Petitioners park be closed up in order to free him from the forsaid prejudices And in respect that where it is desired to be casten about on the outside of the park dyke is still upon the Petitioners own ground and litle more then what is allowed by the Act of Parliament And that all the Gentlemen who are the Petitioners nearest neighbours are very well satisfied it be done And that the Petitioner is content to make the said new high way ane good and sufficient pafsible way on his own Expence at the sight of the Earl of Galloway or the other adjacent heretors concerned And therefor humbly Craveing that His Grace his Maties High Commifsioner and the Estates of Parliament might ordain the said way through the Petitioners park to be closed up and casten about on the outside of the park dyke he makeing a new high way in place therof as aforsaid as the said Petition bears Which being this day read in presence of and considered by His Majesties High Commifsioner and the Estates of Parliament They have Granted and hereby Grant the desire therof And have Ordained and hereby Ordain the above high way that leads through the Petitioners park to be closed up Provydeing allwayes likeas it is provyded that the Petitioner do in place therof upon his own Charges make ane new sufficient high way on the outside of his park of Baldoon upon his own ground at the sight of the Earl of Galloway and the other adjacent heretors concerned And which high way is to be made before the old way through the park be closed up.

Protection in favors of John Urquhart of Meldrum

AT EDINBURGH the third day of August Ico vjc and nynety eight years Anent the Petition given and presented unto His Majesties High Commifsioner and the Right Honourable the Estates of Parliament by John Urquhart of Meldrum humbly Shewing That where the Petitioner being left with considerable burden tho much within the value of his estate, being lykewayes affected with considerable lyferents the Petitioner so soon as he came to manage his business Entered heir to his father and did set about honestly & fairlie to satisfie his just and lawfull Creditors And for that end did expofe his estate in the countrey to be purchast that the pryce might be applyed that way and accordingly has entered in bargain with Patrick Count Lesly for a considerable part of his estate But befor the bargain can be compleated it is absolutely necefsary that some

diligences be run wherein it is probable he may have no contradictor But yet it must neceſsarly require some time and attendance Lykeas there are severall papers which are yet to be recovered And it is but very short time that he has had to manage his estate or opportunity to discover what he wanted And indeed his writs were scattered both dureing his fathers time and his minority in severall hands. And seeing his intentions are fair and honest and that his Creditors can be in no danger in the mean time seeing not only his estate is much more then his debt but they have all real diligences against it; and that the bargain which he is carrieing on is real and known to severall of the honourable Members of Parliament and doth require some time to perfite it and that it will be the most ready way for the satisfaction of the Petitioners Creditors Craveing therefor His Grace and Honourable Estates of Parliament in consideration of the premiſses to grant the Petitioner a protection to his person against personall diligence for such a competent time as shall in wisdome seem neceſsary that he may compleat his rights and perfect his bargain. And that therby his just and lawfull Creditors may be satisfied and payed which will not only prevent a great deal of Expences to the Creditors but preserve the Petitioners family and estate, as the said Petition bears. Which being this day read in presence of and considered by His Majesties High Commiſsioner and the Estates of Parliament they have Granted and hereby Grant to the Petitioner a Protection to his person against the personall diligences of his Creditors untill the first of August next inclusive in the year I^{m} vj^{c} and nynety nyne.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THE Lord President by order of his Maties High Commiſsioner adjourned the Parliament till Friday nixt at ten of the clock in the forenoon.

AUGUST V, M,DC,XCVIII.

PRAYERS said Rolls called.

THE Marques of Douglas being absent last Session of Parliament did now subscribe the Aſsociation.

JAMES Scot of Galla Commiſsioner for the Shyre of Roxburgh and Mr James Craigie younger of Dumbairny Commiſsioner for the Shire of Perth took the Oath of Alleadgeance and subscribed the same with the Aſsurance and Aſsociation and took the Oath of Parliament.

MINUTS of the last Sederunt read.

AN Addreſs to his Matie by the Parliam^{t} in behalf of the Company tradeing to Africa and the Indies brought in from the Committie for Security to whom the consideration of the Companies Petition was Remitted read, and after debate and some amendments again read voted and approven, nemine contradicente. Of which the tenor followes.

Addreſs to the King in behalfe of the African Company

WE your Majesties most loyall and faithfull Subjects the Noblemen Barons and Burgeſses conveened in Parliament Do humbly Represent to your Majestie that haveing considered a Representation made to us by the Counsell Generall of the Company tradeing to Affrica and the Indies makeing mention of severall obstructions they have met with in the prosecution of their Trade particularly by a Memoriall presented to the Senate of Hamburgh by your Majesties Residents in that City tending to leſsen the Credit of the Rights and Priviledges granted to the said Company. by an Act of this present Parliament We do therfor in all humble duty lay before your Majestie the whole Nations Concern in this matter And we do most earnestly intreat and most aſsuredly expect that your Majestie will in your Royall Wisdom take such measures as may effectually vindicat the undoubted rights and priviledges of the said Company and support the Credit and Interest therof And as we are in duty bound to return your Majestie our most hearty thanks for the gracious aſsuranees your Matie has been pleased to give us of all due encouragement for promoteing the Trade of this Kingdom so we are hereby encouraged at present humbly to recommend to more speciall marks of your Royall favour the Concerns of the said Company as that branch of our Trade in which we and the Nation we represent have a more peculiar interest.

[Petitions for arrears remitted to the Committie for Security of the Kingdom]

PETITION the Captains and Seamen of his Majesties Friggots for payment of their arrears, Petition the Collonells of the Regiments on the establishment of this Kingdom lately disbanded, Petition the Officers of the Lord Lorn and Collonell Buchans Regiments and Petition Livetennant James le Blanc and certain other French Officers Refugees lately disbanded, all for payment of arrears all read and remitted to the Committie for Security of the Kingdome.

[Petition Coalmasters of the Kingdom]

PETITION David Lord Elcho for himselfe and in name of the other Coalmasters of the Kingdom craveing the Imposition of sixteen shilling per tun might be discharged at least as to theſe veſsells that come to export Coal; and Petition the Masters and Owners of ships in Borroustouneſs Grangepans and Queensferry for dischargeing the Imposition of four shilling laid on upon their ships

since August 1697 and in time comeing both read and Remitted to the said Committie.

[Petition for Arrears] PETITION severall Officers who served His Majestie in the army preceeding February 1691, for their arrears, read and ordered to lie on the table.

ACT anent Personall protections, Act and Ratification in favors of the Glaſs Manufactory at Morisons haven, and Act anent Pock-net fishing brought in by the Committies; all read the first time and ordained to ly on the table.

[Petitions for personall Protections] PETITIONS at the instance of severall persons for personall protections, moved, and the consideration therof delayed till the first Sederunt of Parliament nixt week.

[Macers of Seſsion] PETITION the four ordinary Macers of Seſsion Craveing an allowance of twelve shilling for every first Act, Read, and after debate it was put to the vote Grant or Remitt the Petition to the Committie for Security & carried Grant.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THEN the Lord President by order of His Maties High Commiſsioner adjourned the Parliament till Munday nixt at ten of the clock in the forenoon.

AUGUST VIII, M,DC,XCVIII.

PRAYERS said Rolls called.

THE Lord Forbes took the Oath of Alleadgeance and subscryved the same with the Aſsurance and Aſsociation and took the Oath of Parliament.

MINUTS of the last Sederunt read.

[African Company] RECOMMENDED to His Maties High Commiſsioner and to the Lord President to transmitt to His Majestie the Parliaments Addreſs in behalf of the Company trading to Africa & the Indies.

SIR Francis Scot in name of the Company returned their hearty thanks to his Grace His Majesties High Commiſsioner and the Right Honourable Estates of Parliament for the favours done to the Company, And farder intreated that the Concerns of the Company and any Addreſses that should be made by them to His Matie might from time to time be presented to His Majesty; To which his Grace His Majesties High Commiſsioner and the Lord President answered, that the Company might be alwayes aſsured of their readineſs to serve them.

AT EDINBURGH the Eight day of August I^m vj^c and nynety eight years Anent the Petition given and presented to the Lord Commiſsioner his Grace and the Right Honourable Estates of Parliament by James Currie late Provost of Edinburgh Shewing that where the Petitioner has born publict office within the Toun of Ed^r these many years bygone wherin he behaved himself with all the integrity and diligence that lay in his power to the satisfaction of the whole Inhabitants for the good profite and advantage therof And particularly when he was Provost with the concourse and advyce of the other Magistrats Common Councill and Community of the said Burgh was chiefly instrumentall by his care and industry in bringing in the Conduit of the water to the Toun that stood in great need therof; And also in laying & repairing the Calseyes in and about the Toun and the wayes betwixt Ed^r and Leith and severall good works that were done and performed then all which stood a great sum of money yet the Touns credit was still keept intire by paying their annualrents and some small principall sums without contracting debt all that time; And now it hath pleased God to visit the Petitioner with so great loſses and sufferings by sea and bad Debitors both in this Kingdom and England and elsewhere that he is reduced to that condition that he is not able to pay his own Creditors (which yet bleſsed be God are not considerable) But some of them are so violent that they will grant him no time to see after his affairs and get up any thing that is probable he may receive for their satisfaction In respect wherof the Petitioner meaned himselfe be Supplication to the last Seſsion of Parliament and obtained from them a Protection which he humbly craved to be renewed and continued in manner underwitten Desireing therfor his Grace & their Lops to take the Circumstances of their Petitioner to their serious Consideration and to renew to him and to continue the said former Protection untill the nixt Seſsion of Parliament it being nottour to all persons that he did not squander away his estate by prodigality but that he did loſs the same by accidents which he could neither see nor prevent, as the said Petition bears. Which being read in presence of and considered by His Majesties High Commiſsioner and Estates of Parliament they have Granted and do hereby Grant to the Petitioner an Protection for his person against all diligences for civil debts while the nixt Seſsion of this or any other Parliament Declaring allwayes lykeas His Maties High Commiſsioner and the Estates of Parliament by their Interloquitor dated the tenth

Protection for James Currie late Provost of Edinburgh

day of this instant Declared &c. by thir presents Declare that this present Protection shall not extend to the diligence raised or to be raised for the Kings money.

Protection for Sir Robert Milne of Tulliallan

ANENT the Petition presented to his Grace His Majesties High Commissioner and the Honourable Estates of Parliament by Sir Robert Milne of Tulliallan humbly Shewing that the Petitioner haveing unfortunately engaged himself as Cautioner for several persons in considerable sums he was necessitat to pay & satisfie a great part of the same and to give personall and reall security out of his own proper estate or remain as Cautioner yet some of them are so rigid as by their personall diligence they forced the Petitioner to retire and abscond whereby for the present he is rendered simply incapable either to effectuat their payment or his own relief And seeing as the Petitioner never intended to prejudge any of his Creditors to whom he stands engaged either as principall or Cautioner in one farthing of their just debts And that his being keeped under restraint can be of no advantage to them or any of them but on the contrary will be a mean to delay their payment and tend to the utter ruin of the Petitioner and his familie Whereas on the contrare if the Petitioner were at freedom he could in a very short time by prosecuteing and attending his own business not only effectuat their payment but also preserve a free stock and overplus to himselfe And seeing it is well known to the haill Nation that the Petitioner never acted or intended any thing that was either unjust or disingenuous to the prejudice of his Creditors or any one of them Craveing therefor his Grace and the Honourable Estates of Parliament to take the premisses to their serious Consideration and to grant the Petitioner a personall Protection for such time as they should think fit to the effect that he might prosecute his own business for paym^{t} of his said Creditors and that but prejudice to them or any one of them if they think fit to prosecute reall diligence as accords, as the said Petition bears Which being read in presence of and considered by His Maties High Commissioner and the Estates of Parliament they have Granted and hereby Grant personall protection to the Petitioner against all personall Execution at his Creditors instance to the nixt Session of Parliament After Granting of which Protection His Maties Commissioner and the Estates of Parliament by their Interloquitor dated the tenth day of August instant Declared and hereby Declare that this Protection shall not extend to diligences raised or to be raised for the Kings money.

Protection for Alexander Milne of Carriden

ANENT the Petition given in and presented unto his Grace His Maties High Commissioner and the Honourable Estates of Parliament by Alexander Milne of Carriden Shewing that where Sir Robert Miln of Tulliallan has given in a Petition for a personall protection against his Creditors, and the Petitioner and his father being bound both conjunct principalls in severall bonds for Sir Robert and also as Cautioner for him and lykewayes the Petitioner has an Exhibition depending against Sir Robert for Exhibiteing of severall retired bonds wherin your Petitioners father or himselfe were bound for Sir Robert on which there is an Act Extracted and Sir Robert appointed to depone in the time of the vacance which was produced with the said Petition in the Clerks hands And seeing it were very hard that Sir Robert should get a Protection against those Creditors to whom either the Petitioners father or himself were bound for him so that the whole burden of those debts shall be turned over upon your Petitioner which doth necessitat him to abscond or that Sir Robert should by vertue of that protection so shelter himself from the diligence that the Petitioner cannot force him to depone or exhibite those bonds which are retired where the Petitioners father or he are bound as said is and which bonds may fall in some persons hands who may make use of the same to the ruine of the Petitioners fortune and estate Craveing therefor his Grace and the Honourable Estates of Parliament to take the premisses to their Consideration And if they should think fit to grant a Protection to the said Sir Robert to grant another to the Petitioner as to all those debts and against those Creditors to whom his father and himselfe were either bound with or for him And also to declare that his protection shall not extend to any diligence against him for Exhibiting of bonds or any other writs or papers &c. called for by the Petitioner But if he refuse to Depone and Exhibite or if a Decreet of Exhibition shall be recovered against him at the Petitioners instance Caption or other Diligence may be execute against him notwithstanding of the said protection as the said petition bears. Which being read in presence of & considered by His Maties High Commissioner and the Estates of Parliament they have Granted and hereby Grant Protection to the Petitioner as to all those debts & against those Creditors to whom the Petitioner or his father were either bound with or for Sir Robert Milne and that to the nixt Session of Parliament Therafter His Majesties High Commissioner & Estates of Parliament by their Interloquitor of the date the tenth instant Declared and by thir presents Declare that the above wryten protection shall not extend to the diligence done or to be done for the Kings money.

Protection for Mr George Campbell Merchant in Edinburgh

ANENT the Petition given in and presented unto His Grace His Maties High Commissioner and the Right Honble the Estates of Parliament by Mr George Campbell merchant in Edinburgh Shewing

that where the Petitioner was left by his parents in considerable debt and haveing himself sustained great loſs by misfortune at sea in the prosecution of the Greenland trade and by many bad debitors in his imployments of Brewing and Soap boilling he was thereby disabled from following his forsaid imployments Wherupon being desireous to do all right to his Creditors he conveened the most part of them and frankly & ingenuously disponed to them upon oath judicially taken before severall of their own number all his fortune both personall and reall for their security on condition of his obtaining personall liberty as documents lying in the Clerks hands do instruct and ever since his Creditors have been and are in poſseſsion therof by Robert Innes their factor nominat by the Lords of Seſsion and a great part therof now sold by roup and the pryce applyed to their payment And albeit it be now nyne years since the Petitioners granting the said disposition dureing which time he has been neceſsitat to abscond and leave his countrey to the great prejudice of himself and family yet such is the rigidity of one or two of his Creditors that albeit the rest be willing yet they refuse to grant him personall liberty notwithstanding the forsaid condition of disponing and their acceptance on that condition And seeing the Petitioners case is so favourable and that likewayes these severall years dureing his restraint here and being abroad with great pains and study he hath discovered severall improvements of trade and manufactories which may prove very beneficiall to this Kingdom which some of this Honoⁿ Parliament can give a satisficing account of yet he is not capable to prosecute any of them by the want of his personall liberty Craveing therefor His Grace and the honourable Estates of Parliament to take the premiſses to their serious consideration and grant the Petitioner Protection against all personall execution as the said Petition bears. Which being read in presence of and considered by His Majesties High Commiſsioner & the Estates of Parliament they have Granted & by thir presents Grant Protection to the Petitioner against all personal execution at his Creditors instance to the nixt Seſsion of Parliament Therafter upon the tenth instant His Maties Commiſsioner and the said Estates by ane other Interloquitor Declared and hereby Declare that this Protection shall not extend to diligence raiſed or to be raiſed for the Kings money.

Protection for John Gilhagie Merchant in Glasgow

ANENT the Petition given in and presented to the Lord Commiſsioner His Grace and the Right Honourable Estates of Parliament by John Gilhagie merchant in Glasgow Shewing that where in the late conflagration and burning in Glasgow in which both sides of the Salt mercat was in a flame upon an instant and totally burnt; the Petitioner had then by the burning of his houſes there his plenishing in them and his two well furnisht buiths and merchant ware in them Twenty thousand merks of loſs; as also in the same year by trade in his severall voyages and concerns in ships to the Archangell, Canaries and Madairies (which was the first undertakings to those plantations from Glasgow) and by one ship of his at the same time comeing from France with wynes here being cast away at the bay of Yochill on the west side of Ireland he had fyve hundred pound Sterling of loſs, and since that time he has had of coall works near Glasgow these some years bypast above twenty thousand merks of loſs; By all which and the rigidity of severalls of his Creditors by captions and personall execution (though by their adjudications and proces of sale he is debarred from possession of any thing he has) he is depryved of all means of industry for subsistance of himself and his familie who are in very sad circumstances at present All which consists with the knowledge of some of this high and honourable meeting Craveing therefor His Grace and Honourable Estates of Parliament to take the circumstances of the Petitioner to their serious consideration and grant him a Protection against personall execution it being notour that he did not squander away his means by prodigality; but that he did loſs the same by the accidents forsaids as the said Petition bears. Which His Maties High Commiſsioner and the Estates of Parliament haveing heard and considered they have Granted and hereby Grant Protection to the Petitioner against personall Execution at his Creditors instance to the nixt Seſsion of Parliament After Granting wherof His Majesties Commiſsioner & the said Estates Did upon the tenth instant by their Interloquitor Declare and by thir presents Declares that the above-written Protection shall not extend to the diligence raised or to be raised for the Kings money

Protection for Alexr Kinnaird of Cowbin

ANENT the Petition presented to His Majesties high Commiſsioner and the honourable Estates of Parliament by Alexander Kinnaird of Cowbin humbly Shewing that the Petitioner haveing the three parts of his own and his predeceſsors estate overrun with sand and the fourth part yet remaining is sold for payment of his Creditors as far as it will extend and the Petitioner haveing nothing but to recurr to his frugality & industry for a liveing in time comeing Therefor Craveing his Grace and the honourable Members of Parliament to take the Petitioners case which is notour to most of their number to their serious conſideration and Grant him personall protection as the Petition bears Which being read in presence of and considered by His Majesties high Commiſsioner and the Estates of Parliament they have Granted and by thir pñts Grant Protection to the Petitioner against all personall Execution at his Creditors instance to the

nixt Seſsion of Parliament Thereafter His Grace and the said Estates upon the tenth instant Declared by their Interloquitor and hereby Declare that the abovewritten Protection shall not extend to the diligence raised or to be raised for the Kings money.

Protection for William Bruce of Newtoun

ANENT the Petition of William Bruce of Newtoun presented to and read in presence of His Majesties high Commiſsioner & the honourable Estates of Parliament Shewing that the Petitioner was engaged Co-cautioner with Alexander Bruce of Kinnaird in great and considerable sums for the deceist Laird of Clackmannan their brother in law and also was Cautioner for this present Laird of Clackmannan his son. And Clackmannan the prin^{ll} Debitor made a Disposition of his Estate in favors of his Creditors be vertue wherof they are not only in poſseſsion but also the Lords of Seſsion have set a tack of the estate of Clackmannan the tack duty wherof would do more then satisfie the sums wherin Kinnaird and the Petitioner are bound for Clackmannan Lykeas the Petitioner hath also made a disposition of his Estate in favors of his Creditors who accordingly are in actuall poſseſsion and uplift the maills and duties thereof and an factor appointed by the Lords of Seſsion for that effect which is all that either the principall debitor or the Petitioner could perform to their Creditors And seeing the Creditors are so secured and will have right to the tack duty of Clackmannans estate being preferred thereto and are in actuall poſseſsion by uplifting the maills and duties of the Petitioners estate upon the disposition made by him to them and the Petitioner has also procured the consent of a great part of his Creditors hereto which was produced with the said Petition And also seeing His Grace and the Honourable Estates of Parliament had been pleased to grant personall protection to the said Alexander Bruce who is in the very same circumstances and Co-cautioner with the Petitioner Therefor humbly Craveing that his Grace and the honourable Estates of Parliament in consideration of the Petitioners circumstances would grant him a protection to his person untill the estate be sold by roup or for the time of the continuance of the tack of Clackmannan or for such a time as shall be thought fit and dureing that space to discharge all meſsengers and others to trouble molest arriest or apprehend his person for any civil cause as the said Petition bears. Which His Majesties High Commiſsioner and the Estates of Parliament haveing considered They have Granted and by thir p^{rs} Grant Protection to the Petitioner against all personall execution at his Creditors instance to the nixt Session of Parliament Thereafter His Grace and the said Estates by an other Interloquitor upon the tenth instant Have Declared and hereby Declare that the abovewritten protection shall not extend to diligence raiſed or to be raiſed for the Kings money.

Protection for Alex^{r} Zeaman of Pittincrief

ANENT the Petition of Alexander Zeaman of Pittincrief presented to and read in presence of His Majesties High Commiſsioner and the honourable Estates of Parliament Shewing that where the Petitioner being most unhappily engaged in severall Cautionries and debts for which he hath been distreſsed and his Credit broke because it was impoſsible to raiſe at the same time all the sums demanded of him although his effects were more then sufficient to have satisfied all his Creditors The Petitioner is very sensible how infavourable the desire he is about to make may appear at the first view And therefor he most humbly and earnestly beseeches his Grace and Right Honourable the Estates of Parliament seriously & with compaſsion to consider the reasons offered for him whereby he hoped the protection which he asks for his person will not only appear favourable but highly profitable nay neceſsar for his Creditors In the first place then there is nothing more certain then that the Petitioners effects are much more considerable then his debts He knew that persons who fall in such misfortunes have generally too much indulgence for themselves in the estimat they make of their estates But to clear that the Petitioners debts do not really amount to the value of his fortune He did both give in the list of his debts and of his estate and he durst boldly say that these lists cannot be redargued in one article 2° The Petitioner did from the beginning design fairly to give satisfaction to his Creditors And therefor he granted a generall disposition of all that belonged to him either heretable or moveable in favors of Robert Carstairs as trustee for the Creditors which might have saved them a great dale of expence and trouble and the Petitioner from vast damnages by the accumulation which attend legall diligences And the Petitioner is yet willing to dispone in favors of the Creditors if they require any more particular disposition from him or in favors of any trustee for their and the Petitioners behoove all that he has in the world upon oath and he is satisfied that the protection to be allowed by his Grace and the honourable Estates be forfault if he shall be found to have concealed any thing 3° The great prejudice for the Creditors and for the Petitioner both is that a very considerable part of his means and estate perish to him and the Creditors Because there is no particular person that hath anc universall concern who has access or liberty to do diligence And that by that means tho there might be a considerable ballance remaining to the Petitioner after paying of his debts yet the fonds not being manadged & got in even the Creditors themselves suffer unleſs it be a few that are more active and diligent then

the rest and for the Petitioners part he is utterly ruined Neither can this be prevented unleſs he who can have no benefit but in the event of all the Creditors obtaining satisfaction had liberty to aſsist and push on the recovery of the debts And that his Grace and honourable Estates might be more plainly satisfied in this matter the Petitioner did condescend on the following instance whereby both the Creditors and he are prejudged viz. he is distreſsed for Cautionrie and yet there is no diligence done for his releif against the principalls His Rents which yeelded two thousand merks p[r] annum do not now yeeld one thousand and the debts due to him are not recovered And it would be considered that so long as the world stands effects exposed to the diligence of Creditors in generall will be dissipat and torn The readiest effects are the subject of competition upon which vast expences are heaped and the rest neglected If the List which the Petitioner hath given in did not clearly show that there muſt be a ballance remaining to him if things be right manadged he was satisfied that what he did plead for himself ought to be rejected But since it was evident that there is more then will satisfie the Creditors and that there will remain a ballance to the Petitioner if he be allowed his liberty to struggle for their satisfaction and his own security where can the disadvantage be to allow him a personall protection for some short time for that effect upon his consigning a disposition of all his estate and deponing that he hath concealed nothing. The Petitioner is very sensible of that prejudice which generally obtains against him as haveing had too great acceſsion to his own misfortune by his own mismanagements But what did happen in that kind was through the inconsideratneſs of his youth And the Laws of all nations have some excuse and pity for such misfortunes And the greatest part of the Petitioners debts are Cautionries for which he was engaged by his too great easineſs and youthful rashneſs He did not contend that his debts were contracted in his minority but they were contracted in the confines of it and within those years to which minority is extended in the common Law viz. twenty fyve And seeing the Petitioner is very sensible of his former mistakes and what he now asks is for the common profite both of the Creditors & Debitor Therefor Craveing His Grace and the Honourable Estates of Parliament in consideration of the hardship which the Petitioner sustains and the debts for which he is debitor being occasioned by the weakneſs of his age and that his debt is in a great part Cautionrie and that his effects are more then his debts so that both his interest and the interest of the Creditors requires that he have liberty to prosecute them and that he has already made a disposition and is willing to grant what further right may be required of him upon oath for satisfaction of his Creditors to Grant him a protection against personall diligence for two years as the said Petition bears Which his Maties Hlgh Commiſsioner and the Estates of Parliament haveing this day considered They have Granted and by thir presents Grant Protection to the Petitioner against all personall execution at his Creditors instance to the nixt Session of Parliament he Granting a disposition of his whole estate in the terms abovewritten before extracting hereof After Granting wherof His Grace and the said Estates by another Interloquitor upon the tenth instant haye Declared and hereby Declare that this protection ſhall not extend to diligence raised or to be raised for the Kings money

Protection for Robert Graham of Morphie

ANENT the Petition of Robert Graham of Morphie presented to and read in presence of His Majesties high Commiſsioner and the Honourable Estates of Parliament Shewing that where the Petitioner haveing fairly entered to his estate without acquiring of rights to defraud his Creditors And being then in hopes that the fortune would have been sufficient for payment of his debts and in that view haveing married a gentlewoman & got a considerable portion with her did secure her in a suteable joynture: But after all to the Petitioners great surprise he did discover that the debts contracted by his father and grandfather and that upon account of his adherence to the Estates of Parliament which was understood to be publict in thoſe dayes did exceed the value of his estate And therefor the Petitioner did fairly apply his estate towards the satisfaction of these Creditors; And his wife did cheerfully renounce her lyferent security restricting herselfe to a very inconsiderable part of the estate for an aliment to her dureing her own lifetime So that all his effects are intirely in the hands of his Creditors and he has nothing that can afford them any furder satisfaction or relief Notwithstanding whereof there are some although very few who are so hard hearted and cruell as to threaten the Petitioners person being now betwixt sixty and seventy years of age And therefor the Petitioner did most humbly apply to his Grace and the right Honourable the Estates of Parliament to the effect he might obtain protection for his person and humbly entreated that the reasons following might be considered, Primo, Personall diligence by Caption is introduced by our law partly that the debitor may be constrained to cede his effects and partly out of just resentment against such who have induced their Creditors to trust them beyond the value of their estates and in that view Caption has something of punishment in it. But neither of these two reasons concurr in the Petitioners case For his Creditors enjoy whatever was or can be pretended to be his and excepting a very inconsiderable aliment which his wife enjoyes in liew of the joynture which she renounced and she may very well be

considered as a Creditor her tocher of Twenty thousand merks being applyed towards the payment of the Petitioners father & grandfathers debts. 2do The second reason can as little take place For the Petitioner did not engage any man to contract or lend money the estate being affected for debts contracted by his father and grandfather and there is not one thousand merks or above of the Petitioners contracting and that thousand merks was borrowed to save his credit at the hands of some of those Creditors And seeing it is not in the Petitioners power to give more satisfaction to his Creditors and that he had no hand in the misfortune of those who suffer any loss it were hard that he should be exposed to the rigour of personall diligence. 3tio Though personall diligence in generall be calamitous in the Petitioners case in effect it amounts to the very pain of death for he is now old and infirm and an imprisonement would put a dolefull period to his dayes which would be an unprofitable cruelty to his Creditors He therefor humbly Craved his Grace and honourable Estates of Parliament in respect that he hath neither sought to defraud his Creditors by entering to his estate upon singular titles or by withholding any part of it so that there remains nothing to him but his poor miserable person already sufficiently burdened with age and infirmity, to discharge all personall execution against him as the Petition bears. Which His Majesties High Commissioner and the Estates of Parliament haveing heard and considered They have Granted and hereby Grant Protection to the Petitioner against all personall execution at his Creditors instance to the nixt Session of Parliament Therafter His Grace and the said Estates by an other Interloquitor upon the tenth instant Have Declared and Hereby Declare that this protection shall not extend to diligence raised or to be raised for the Kings money authority of the Lords of Session and the pryce applyed for the Creditors satisfaction and seeing also the greatest part of the Creditors being convinced that the Petitioner was innocently engaged and never had any benefite by his father have consented to a protection which was lying in the Clerks hands: The Petitioner hoped upon these considerations there was never any case before the Honourable Court of Parliament which merited so much favour and allowance as this being seriously considered in all its circumstances And the Petitioner is not only disappointed of any fortune which he might have expected by his father but likewayes what was secured to him aliunde by his mothers relations and his Tocher with his Wife wherupon he might have lived very contentedly being also swallowed up by his fathers Creditors and his familie being subsisted these three years upon the charity of relations which is very well known to most of the Creditors and must be so for the future otherwayes redueed to starveing Therefor he humbly craved his Grace and the Honourable Court of Parliament upon the grounds and consideration forsaid to Grant a personall protection for such space as should be thought fit and the Petitioner was content to forfeit the same if ever it should be instructed that he has one sixpence of his fathers fortune as the said Petition bears. Which His Majesties High Commissioner and the Estates of Parliament haveing this day heard and considered they have Granted and do hereby Grant to the Petitioner personall protection against the Diligences of his Creditors untill the nixt Session of Parliament After granting wherof his Grace and the said Estates by their Interloquitor of the tenth instant Declared and do hereby Declare that the above protection shall not extend to diligences raised or to be raised for inbringing the money due to the King.

Protection for Alexander Hunter son of Mr James Hunter of Muirhouse

ANENT the Petition of Alexander Hunter eldest lawfull son to the deceist Mr James Hunter of Muirhouse presented to and read in presence of His Majesties High Commissioner and the Honourable Court of Parliament Shewing that where the Petitioner out of duty and obedience to his deceist father blindly engaged in the greatest part of his debts and after his deceiss when the condition of his affairs was known was necessitat to lurk and abscond himselfe for fear of personall Execution And now being in His Majesties service in Holland and expecting a Command to come over for Recruits and since the Petitioner has not a sixpence of his fathers fortune but all is applyed for the use of the Creditors who possest the same ever since his death yea poynded the very moveables and plenishing of the house which the Petitioners wifes Relations were forced to Redeem And likewayes the Estate being now sold upon a roup by

Protection for Sir Alexander Cunninghame of Corshill

ANENT the Petition given in and presented to his Grace His Majesties High Commissioner and to the High and Honourable Court of Parliament by Sir Alexander Cunningham of Corshill Shewing that where the deceist Sir Alexander Cunninghame the Petitioners father haveing contracted debts far beyond the value of his fortune besides the severall Cautionries he involved himselfe into and particularly for the Laird of Robertland And the Petitioner being left in nonage his Curators without ever knowing the state of his fathers affairs did unadvisedly serve him air to his father whereby he has not only lost the expectation of his fathers estate but also a considerable sum of money which he got in tocher with his wife as it consists with the knowledge of some of this high and honourable meeting And on the one hand it being impossible for the Petitioner at present to satisfie & pay these Debts so contracted by his father and the

which he has been oblidged to corroborat by his being served air so unadvisedly as said is or to get relief of them And on the other hand the rigidity of the severall Creditors does by Captions & personall Execution deprive the Petitioner of all means and industry by which he might either improve what he has or acquire more to the greater benefite of his Creditors or subsistance of his familie Which debts so resting a considerable part therof being Cautionrie for the Laird of Robertland for the which the said Robertland hath obtained protection And it were very hard not to allow the same favour to the Petitioner the Cautioner who is sadly opprest for the same But to make appear and give evidence that the Petitioner did sincerely & earnestly desire to pay them he was content and ready to denude himselfe in favours of his Creditors of all Estate both personall & reall that he had or could lay claime to without reserve and betake himselfe to the effects of his industry for subsisting himselfe and his numerous familie Lykeas he with the said Petition did give in a full and formall disposition in favors of his Creditors of all estate whatsoever that he either had or should at any time by his industry purchase or acquire with a consent to a sale and roup therof as the Creditors should think fit And seing that was all that was posible for the Petitioner to do or which could either in Law or equity be demanded of any Debitor and that it so manifestly tends to the advantage of the Creditors and that it is well known that the whole product of the Petitioners estate hath been applyed to their behove and that he has a numerous familie that can only be subsisted by his personall liberty and industry He therfor did most humbly beg and hope from the bounty and justice of his Majesties High Commissioner and the High & Honorable Court of Parliament that they would grant him a protection against personall Execution. Which Petition being this day read in presence of and considered by His Majesties High Commissioner and the Estates of Parliament they have Granted and hereby Grant Protection to the Petitioner against all personall execution at his Creditors instance untill the nixt Session of Parliament he allwayes befor Extracting hereof giveing in a disposition in the terms above mentioned Therafter his Grace and the said Estates by their other Interloquitor of the tenth instant Declared and hereby Declare that the abovewritten protection should not extend to the diligence raised or to be raised for the Kings money.

Protection for Mr Lewis Dick son to Sir Andrew Dick of Craighouse

ANENT the Petition of Mr Lewis Dick eldest lawful son to the deceist Sir Andrew Dick of Craighouse presented to & read in presence of His Majesties High Commissioner and the Honourable Estates of Parliament Shewing that the Petitioners Grandfather Sir William Dick of Braid from a principall of zeal to Religion (as it is now established in this Kingdom) and uncompareable love to his Countrey haveing advanced great and vast sums of money for payment whereof he had all solemn promises rights and securities of Parliament that humane faith and Christian bonds could afford or Law could devise Yet notwithstanding of all no method is hitherto taken for his payment and satisfaction but his posterity altogether neglected and totally ruined especially the Petitioner whose fortune and estate is altogether absorbed by his Grandfathers Creditors (the Petitioners father being Cautioner for his father Sir William Dick) and not haveing wherwith to satisfie (by want of his own) his Liberty lykewayes taken away whereby his familie of small Children are reduced to great want and penurie Lykeas the Petitioner haveing very just and legall pretentions upon the Estate of Orkney by vertue of ane wadset therof granted to his deceist father for a very considerable sum and wherin the Petitioner stands himself infeft and confirmed by the King under his Great Seal he through restraint is altogether incapacitat to prosecute his just Claim And therefor humbly Craved his Grace and the Honble Estates of Parliament to take the suffering Petitioners condition to their serious Consideration and by way of Resentment of his Grandfathers seasonable and good services to his Countrey in time of publict straits to grant to the Petitioner personall Liberty from all legall diligences that he may with freedom attend his lawfull Calling for mentainance of his familie And lykewayes that he may without hazard compear both in prosecution and defence of his inviolable right of Wadset upon Orknay in manner above exprest and that untill a more fiting opportunity may offer for a more ample consideration of the great debts by the Kingdom to his Grandfather. Which Petition His Majesties High Commissioner and the Estates of Parliament haveing this day heard read in plain Parliament, & seriously considered They Granted and hereby Grant the Petitioner a personall Protection from personall diligence for Civil debts untill the nixt Session of this or any other ensueing Parliament.

[James Bayne His Majesties Master Wright]

PETITION James Bayne His Majesties Master Wright for a debt due to him for the Palace of Holyroodhouse read and remitted to the Committie for Security of the Kingdom.

[Mr George Dickson of Bughtrig]

PETITION Mr George Dickson of Bughtrig Craveing that he might be allowed to qualifie himselfe &c. moved and the consideration therof Remitted to the Committie for Security of the Kingdom.

[Anent Restraining Protections] ACT Restraining personall Protections for hereafter Read a second time; And it being moved that a clauſe should be added thereto That no person dureing the currency of and untill he should Renunce the benefite of such protection should be capable to elect or be elected a member of Parliament; After debate it was put to the vote Add or not, and it carried Add Therafter it being moved that another clauſe should be added That none getting a protection for hereafter should be allowed to sit or vote in Parliament dureing its currancie and untill they should Renunce the benefite therof; After some Debate the vote was put Add this Clauſe or Approve the Act without it, and it carried Approve.

[Building of houses in Edinburgh] OVERTURE for bringing in an Act in favors of the Toun of Edinburgh for Regulating the building of houſes therin, Read and Remitted to the Committie for Trade.

[Acts to be brought in] OVERTURES proposed for Acts to be brought in viz. Ane Act for repreſsing rabling, An Act for the more eaſie quartering of Souldiers, An Act for the more effectuall repreſsing of Robberies in the Highlands, and an Act for the better provideing of Ministers sent to preach in the north; all Remitted to the Committie for Security of the Kingdom.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THE Lord President by order of His Majesties High Commiſsioner adjourned the Parliament to Wednesday nixt at ten of the clock in the forenoon.

AUGUST X, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt Read.

[Anent Protections] ORDERED that it be added to the grant of all Protections that the same shall not defend against any diligence raiſed or to be raiſed for the Kings money.

[Alexander Miln of Carridden] AGRIED upon a motion that the protection given to Alex[r] Miln of Carridden be for all debts for which he or his father were bound with or for Sir Robert Miln.

ORDERED that no Protection be of force unleſs the Act be Extracted and Produced.

[Expenses of Apparel] DRAUGHT of ane Act for restraining the expences of apparel brought in from the Committie of Trade Read for the first time and after some debate if the discharge of the useing of Gold or Silver should be extended to horse furniture It was put to the vote Extend or not and Carried in the affirmative And then ordered that the draught should be printed as a proposall that the members might see and consider it again the nixt reading.

[Vacant Churches] DRAUGHT of an Act for preventing disorders in supplying and planting vacant Churches brought in from the Committie for Security, Read for the first time and appointed to lye on the table.

[Pock net fishing on Forth] ACT against pock net fishing on the water of Forth Read a second time and voted and approven.

[Fothringham of Pourie ag[t] Lord Gray] PROCESS the Laird of Pourie against the Lord Gray allowed to be seen by the Lord Grayes procurators in the Clerks hands till the second Sederunt of Parliament nixt week.

[Cap[t] James Drummond] PETITION Captain James Drummond for a warrand to cite his Creditors in order to his obtaining a protection, moved, and the desire therof granted.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THE Lord President by order of his Majesties High Commiſsioner adjourned the Parliament till Friday nixt at ten of the clock in the forenoon.

AUGUST XII, M,DC,XCVIII.

PRAYERS said Rolls called.

THE Reading of the Minuts of the last Sederunt delayed till the nixt Sederunt of Parliament.

ADDRESS the Commiſsioners of the late Generall Aſsembly for a nationall fast Read Which being agried to ane Act appointing the second Lords day of September nixt to be keept as a National Faſt was read voted & approven wherof the tenor follows.

Proclamation for a National Fast THE Estates of Parliament upon application made to them by the Commiſsioners of the Generall Aſsembly of this Nationall Church takeing into their consideration that it hath pleased the Almighty God to visit this Land with diverse tokens

of his displeasure particularly with great scarcety and dearth theſe years past And that all ranks of persons are thereby called to humble themselves by fasting and prayer for averting the wrath of God and for the obtaining his bleſsing upon the approaching harvest and for preservation of his Majesties Royall person directing his Councills and returning him in safety to his dominions Therefor His Majestie with advyce and consent of the said Estates of Parliament doth hereby Command and Appoint that a day of solemn fasting and humiliation for makeing Prayers and Supplications to God for the cauſes and ends above mentioned be religiously and strictly observed by all persons within this Kingdom upon the second Lords day of September nixt by publict prayer preaching and all other acts of deep humiliation and devotion suteable to the forsaid cauſes and occasions And His Majestie with consent forsaid Ordains these presents to be printed and published at the mercat Croſs of Edr and remanent mercat Croſses of the head Burghs of the severall Shyres and Stewartries within the Kingdome that none pretend ignorance And ordains Copies therof to be dispatched in the usuall manner to the Sheriffs of the severall Shyres and Stewarts of Stewartries or their Deputs or Clerks to be by them published at the mercat Croſses of their head Burghs upon recept therof and immediatly sent to the severall Ministers to the effect that the samine may be intimat and read in the severall paroch Churches upon the Lords day immediately befor the day above appointed And that all Ministers concerned may seriously exhort all persons to a sincere and devote observeance of the premiſses Certifieing such of the Leidges who shall not give due obedience or who shall contemne and neglect the keeping and observeing of the said day and duties that they shall be proceeded against by fyneing not exceeding an Hundred pounds Scots And Warrands and Commands the Sheriffs Stewarts of Stewartries Lords and Baillies of Regalities and their Deputs Juſtices of Peace and Magistrats of Burghs within their severall Jurisdictions to proceed against the persons guilty and to exact the fynes accordingly to be applyed the one halfe to the Judge and the other halfe to the poor of the paroch And certifieing such Miniſters as shall faill in their duty in not reading this Proclamation and observeing the duties therein prescribed that they shall be proceſsed befor the Lords of his Maties Privy Councill. And hereby requires all Sheriffs Stewarts Lords and Baillies of Regalities and their Deputes Justices of Peace Magiſtrats of Burghs and their Clerks to make report to his Majesties Privy Councill of these Ministers who shall faill of their duty herein.

ACT for restraining the expences of apparel again Read, and it being moved that there should be an exception in the Act as to all officers and souldiers their livery cloaths and other accoutriements; after some debate it was put to the vote Approve of the exception or not, and carried Not Then it was moved that the horſe guards should be excepted and the vote being put, it carried Except, And it being further moved if the foot guards should be excepted After some debate the vote was put, and carried Except. [Expenses of Apparel]

THERAFTER upon consideration of the whole Act it was moved That in place of a sumptuary Act as to apparel an Act should be brought in to regulat the import, And after debate the vote was put. Proceed to the further consideration of the sumptuary Act, or Reject, and carried Proceed.

LIST of the Protections granted this Seſsion of Parliament Read and Subscribed by the Lord President to lye in the Records. [List of Protections]

PETITION Earl of Mortoun for a warrand to cite Sir William Bruce, granted. [Earl of Mortoun]

PETITION the Laird of Grant Craveing a day might be appointed for hearing his Procurators in his Counter action of Reduction and Declarator against Westfield whether Westfield should insist or not, Read and Westfield appointed to see and answer against the nixt Sederunt of Parliament. [Laird of Grant agt Westfield]

OVERTURE for an Act anent Regalities in the Highlands Read, and ordered to lye on the table. [Regalities in the Highlands]

THE Committies appointed to meet on Munday nixt at nyne of the clock in the usuall places.

THE Lord President by order of His Majesties High Commiſsioner Adjourned the Parliament till Wedensday nixt at ten of the clock in the forenoon.

AUGUST XVII, M,DC,XCVIII.

PRAYERS said Rolls called.

THE Earl of Glencairn Craved That since this was the first time of the Lord Cardros his takeing place in Parliament as Earl of Buchan he should instruct his title; and after some debate the matter was delayed till to morrow. [Earl of Buchan]

THEN the Lord President by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

AUGUST XVIII, M,DC,XCVIII.

PRAYERS said Rolls called.

SIR Thomas Kilpatrick of Clofsburn one of the Commifsioners for the Shyre of Dumfreis being absent and excused last Sefsion of Parliament did now subscribe the afsociation.

PATRICK Houstoun Commifsioner elected for the Burgh of Renfrew in place of Mr William Cochran of Kilmaronock took the oath of alleadgeance and subscribed the same with the afsurance and afsociation and took the oath of Parliament.

MINUTS of the last three Sederunts read.

Act allowing the Lord Cardrofs to be called in the Rolls of Parliament as Earl of Buchan

THE Earl of Glencairn insisted that the Earl of Buchan might instruct his right to the title of Buchan, and the Earl of Buchan haveing produced an extract of a Chartor dated in the year I^m vj^c and twenty fyve with an Act of Parliament in anno I^m vj^c and thirty three in favors of James Earl of Buchan his predecefsor; After some debate the vote was put Allow the Lord Cardrofs to be called in the Rolls of Parliament as Earl of Buchan reserveing to the Earl of Glencairn and others to quarrell his title and precedencie as accords, yea, or no, and Carried in the affirmative.

THEN the Earl of Buchan took his place and took the oath of alleadgeance and subscribed the same with the afsurance and afsociation, and took the oath of Parliament.

[Vacant Churches] ACT for preventing disorders in supplying and planting vacant Churches Read a second time and voted & approven.

[Earl of Buchan] PETITION the Earl of Glencairn and other Earls Craveing they might be allowed to see the writs produced for the Earl of Buchan, Read, and Friday nixt week appointed for hearing both parties; and that in the mean time they see and answer hinc inde in the Clerks hands.

ACT for a Glafs Manufactory at Morisons haven Read a second time, and Act for another Glafs Manufactory in favors of the Lord Elcho also read And after debate the farder consideration of both delayed till the nixt Sederunt of Parliament.

[Anent wearing of Silver and Gold lace] ACT against the wearing of Silver and Gold lace &c. again read And after some debate it was put to the vote Allow the wearing of silver and gold lace &c. manufactured within the Kingdom or not; and Carried in the negative.

A MOTION made that the Royall Regiment of Dragouns might be excepted from the Act After debate the vote was put Allow the exception or not and Carried in the negative And after some debate and amendments the Act was again read voted and approven.

ACT Regulating the wearing of Silk Stuffs brought in from the said Committie Read and ordered to lye on the table. [Wearing of Silk Stuffs]

THE Committies appointed to meet to-morrow at nyne of the clock in the usuall places.

THE Lord President by order of his Majesties high Commifsioner Adjourned the Parliament till to morrow at ten of the clock in the forenoon.

AUGUST XIX, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt Read.

DRAUGHT of the following Acts viz. Act anent quartering for deficiencie, Act anent quartering of Souldiers, and Act for the more effectuall restraining of clandestine and irregular Marriages brought in from the Committie for Security & read for the first tyme. [Draughts of Acts read]

ACT anent prohibitory and irritant Clauses in Tailzies, Act for the eafe of the small vafsals of the Lands which held formerly of Bishops &c. Act in favors of Minors anent Registrating of Summonds and Instruments of Interruption, Act concerning Communion Elements, Act for preserveing the game, Act for preserveing of planting, Act anent the Registration of probative writs, all read for the first tyme and appointed to lye on the table.

MOVED that Licence be given to the Lords Commifsioners of Justiciary to sit in tyme of Parliament on such dayes as the Parliament sits not, for the Tryall of Beaufort and Captain Simeon Fraser his son, and the same granted. Licence for the Justice Court to sit

OVERTURES for Acts to be made viz. Act anent the Copper Coyn, Act for the better provision of Ministers benorth Forth, Act for Explaining a Clause in the Act concerning prŏries of Re- [Overtures for Acts]

signation, Act for transporting the annexed Excise of Brandie from being payable by the Retailer to be payable by the Importer, all Remitted to the Committie for Security.

[Building in Edinburgh] ACT for Regulating the manner of building in the City of Edr Read a second tyme and after some debate and amendments again read voted and approven.

[Measuring of Malt] OVERTURE for Continuing the Act anent Measuring of Malt read and remitted to the Committie of Trade.

[Fothringham of Pourie agt Lord Gray] ACTION on a Protest for Remeed of Law Thomas Fothringham of Pourie against the Lord Gray and others Called and both parties Procurators being heard The defence of no proces untill the decreit quarrelled be produced Sustained; and Diligence granted as to the grounds and warrands.

[Burghs Royal & Burghs of Regality] A MOTION being made for Considering the Contraverse betwixt the Burghs Royall and Mr John Buchan their agent and the Burghs of Barrony and Regality and other unfree Traders. The severall Petitions, Answers, Representations & Overtures hinc inde thereanent all Remitted to the Committie for Security.

[Sir William Sharp of Scotscraig agt Sir Alexr Bruce of Broomhall] PETITION Sir William Sharp of Scottscraig against Sir Alexander Bruce of Broomhall with Broomhalls answers Remitted to the Committie for Contraverted Elections.

[Petitions remitted to the Committie for Security] PETITION Mr James Colvill for payment of a precept due to his Grandfather out of the vacant Stipends, Petition the Lord Belhaven and others about their tack duty of the Excyse 1695, & Petition Mr Alexander Cuningham for Encouraging a design of illustrating the Civill Law, all Read and Remitted to the Committie for Security of the Kingdom

[Petition & Acts remitted to the Committie of Trade] PETITION Sir John Shaw of Greenock, for an Imposition on Liquors browen and vented in Greenock for building and repairing the harbour therof, Overture for ane Act for an Imposition on Liquors browen and vented in New Port Glasgow for repairing the harbour therof, and Acts in favors of the Touns of Montrose, Kirkcaldie and Brintisland for the lyke Impositions, all Remitted to the Committie of Trade.

Protection for Sir William Ruthven of Dunglas ANENT the Petition of Sir William Ruthven late of Dunglas Presented to and read in presence of His Maties High Commissioner and the Right Honourable the Estates of Parliament humbly Shewing that the Petitioner haveing become engaged for the familie of Garren in upwards of seven score thousand merks, he was forced to sell his estate for payment of that Cautionrie and some other debts that were due by his deceist father And although the Petitioner has not only distributed the pryce of his estate among his Creditors towards their satisfaction but also has disponed in their favors all reversions or other rights competent to him any manner of way of his said estate and is content to depone that he has no other estate nor means except what he already has and is instantly willing to dispone to them; yet one or two of his Creditors are so rigide that they force him to abscond through their rigorous personall diligence to his utter ruine being an very old man and haveing no other way of liveing but by his staying with some of his relations, wch through the harsh useage of his Creditors he is precluded of And therefor he Craved His Grace and the Honourable Estates of Parliament to take a serious view of the Petitioners miserable starving condition and to grant him protection untill the nixt Session of Parliament, or for what tyme His Grace and the honourable Estates should think fit Which Petition His Majesties High Commissioner and the Estates of Parliament haveing heard and considered They have Granted and hereby Grant Protection to the Petitioner untill the nixt Session of Parliament against all personall execution at his Creditors instance against him but Declared and hereby Declare that this Protection shall not extend to diligence raised or to be raised for the Kings money.

[Capt James Drummond] PETITION Captain James Drummond, moved; and his Creditors being called were ordered to be ready to answer the Petition against the nixt Sederunt of Parliament.

[Mr James Winraham] PETITION Mr James Winraham for a personall Protection against the debts for which he stands bound with and for Pittencrieff, Read.

THE Committies appointed to meet on Munday at nyne of the clock in the usuall places.

THE Lord President by order of His Maties High Commissioner Adjourned the Parliament till Munday nixt at ten of the clock before noon.

AUGUST XXII, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt Read.

[Acts voted & approven] ACT anent Quartering of souldiers, Act anent Quartering for Deficiencie, Act anent the Registration of Probative Writs, Act for the more effectuall Restraining of clandestine and irregular Marriages and Act in favors of Minors anent Registrating of Summonds and Instruments of Interruption all read for a second time; and after debate and amendments each of them again read voted & approven.

[Overtures] OVERTURES made for bringing in the following Acts viz. an Act anent Extracts of Seasins and an Act for Rescinding the Clause in the 24 Act Parliament 1695 allowing apparent heirs to enter cum beneficio Inventarii.

[Vafsals of Lands holden of Bishops] ACT for the eafe of small vafsalls of Lands holding formerly of Bifhops &c. and now of his Majestie, read a second tyme and the farder consideration therof delayed.

[Petitions remitted to the Committie of Trade] PETITION the Toun of Aberdeen for a Woollen Manufactory, Overture for an Act for an imposition to the Town of Kinghorn on Liquors browen and vented there and for repairing its harbour and Petition the Burgh of Jedburgh for a small Cuftome on goods paffing the Bridge of Ancrum and for repairing therof all Remitted to the Committie of Trade.

[Burgh of Lanerk] PETITION the Burgh of Lanerk for some supply out of the vakeing stipends towards the building and finishing of a bridge over the river of Clyde read and remitted to the Committie for Security.

[Acts read a first time] DRAUGHTS of the following Acts viz. Act for erecting a Rope Manufactory at Glasgow, and Act for Encourageing of fishing both read for the first time and ordered to ly on the table.

[Burgh of Fortrose agt the shire of Rofs] PETITION the Burgh of Fortrofe against the shyre of Rofs and answers for the shyre therto both given in the last Sefsion of Parliament Moved and Remitted to the Committie for Contraverted Elections to be considered and reported.

[Earl of Buchan] ON a Petition the Earl of Buchan, the Earl of Glencairn condescended to give in his objections against the Earl of Buchans right to that title and dignity once to morrow, that the Earl of Buchan might be ready to answer therto on Friday.

[Ratifications to be Revised] HIS Grace My Lord Commifsioner appointed his Majesties Advocat, the Lord Justice Clerk, and Solicitor to Revise the Ratifications to be presented this Sefsion of Parliament.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THEN the Lord President by order of His Majesties High Commifsioner adjourned the Parliament till Wednesday nixt at ten of the clock in the forenoon.

AUGUST XXIV, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

[Acts read a first time] DRAUGHTS of the following Acts viz. Act anent Extracts of Seafines, Act againft Children marrieing without Consent of Parents &c. Act for the more effectuall inbringing His Majesties rents, Act against Tutors or Curators their marrieing their Pupills &c. Act Regulating Protests for remeed of Law, Act anent Gifts of Escheat upon adultrey and Act anent divorces for nonadherence, all read for the first tyme and ordered to lye on the table.

[Vafsals of Lands holden of Bishops] ACT for the eafe of small vafsalls of Lands holden formerly of the Bishops &c. and now of his Majestie, Read a second time and voted and approven.

[Importation of Silk Stuffs] ACT prohibiting the Importation of Silk Stuffs Read a second time and a proposall being made that all Silk Stuffs should be prohibite except such as should be manufactored within the Kingdom: After debate the vote was put Prohibite the import of all forraigne Silk Stuffs or Allow and it carried Prohibite.

[Burying in Scots Linnen & Importation of Woolen Cloath] OVERTURES for Acts to be made viz. Act for burying in Scots green Linnen and Act for prohibiting the importation and wearing of all forraign woolen cloath Read and Remitted to the Committie for Trade.

[Anent Imposing a Pole] DRAUGHT of an Act Impoſeing a Pole as a fond for payment of arrears brought in from the Committie for Security Read And two Overtures being made one that an imposition on Stamped paper should be the fond and another for an imposition on Glaſs Windows as a proper fond, After debate it was put to the vote First Proceed to consider the imposition by pole or on paper, and it carried Pole And then the vote was again put Proceed to consider the pole or an impoſition on Glaſs Windows and it carried Pole, Therafter the Act again read and ordered to lye on the table.

[Earl of Buchan] MOVED that the Earl of Glencairn should be allowed to withdraw his Petition against the Earl of Buchan Reserveing to the said Earl of Glencairn to insist in his claim hereafter, either befor the Parliament or Seſsion as he should think fit; and the same allowed.

[Overtures remitted to the Committie for Trade] OVERTURE for an Act prohibiting the Exportation of wool, Overture for an Act for encourageing the woolen manufactories of this Kingdom, and Overture for an Act Diſchargeing French Commodities, all read, and remitted to the Committie for Trade.

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THE Lord President by order of his Majesties High Commiſsioner adjourned the Parliament till Friday nixt at ten of the clock in the forenoon.

AUGUST XXVI, M,DC,XCVIII

PRAYERS said Rolls called.

MINUTS of the last Sederunt Read.

[Anent Imposing a Pole] ACT imposeing a Pole Read for the second time And it being moved that the Claſses of the Pole should be first considered After Reading over the Claſses and some debate therupon it was put to the vote If the said Pole was the proper fond for payment of Arrears yea or not and carried in the affirmative, Therafter the narrative of the Act was taken into Consideration, And a motion being made that the Act and Report of the Commiſsion of Parliament appointed for the Pole 1693 with a Petition by the Collonells and other officers to whom arrears was due preceeding 1691 might be read, both were read, and after some debate the farder conſideration of the said Pole 1693 delayed; Then it was moved that a clauſe be added to the Act for payment of the Cloathing money due to the officers of the Regiments disbanded preceeding 1691 The vote was put Add or not and it carried in the negative, And the farder consideration of the Act delayed till the nixt Sederunt.

[Anent the Poor] DRAUGHT of an Act anent the poor brought in from the Committie for Security of the Kingdom Read for the first time and ordered to ly on the table.

THE Committies appointed to meet to morrow at nyne of the clock in the uſuall places.

THE Lord President by order of His Majesties High Commiſsioner adjourned the Parliament till Munday nixt at ten of the clock in the forenoon.

AUGUST XXIX, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

[Act Imposing a Pole approven] ACT impoſeing a Pole again read After some debate and amendments voted and approven.

[Acts read a first time] DRAUGHTS of the following Acts viz. Act anent the Tunnage, Act for transporting the Excise of Brandie &c. Act prohibiting silk stuffs, Commiſsion for Regulation of Judicatories, Act prorogating the Commiſsion of Justiciarie in the Highlands, Act for the Continuatione of a Pole for a second year, Act anent the sale of Minors Estates and Act for encourageing the sale of Cattle all read for the first time and ordered to ly on the table.

[Acts voted & approven] THE following Acts viz. Act anent the Manufacture of ropes and cordage at Glasgow Act in favors of the Glaſs Manufactorie at the Weyms and Act in favors of the Glaſs Manufactorie at Moriſons Haven read for a second time and after some debate and amendments all of them again read voted and approven.

[Wrongous Imprisonment] OVERTURE for an Act against wrongous imprisonment moved and remitted to the Committie for Security.

[Earl of Mortoun ag^t Sir William Bruce] PETITION Earl of Mortoun against Sir William Bruce read and ordered to be given out to Sir William Bruces procurators with the proces at the Earls instance against him.

[Mr James Daes agt James Hay ofCarribber]

PETITION Mr James Daes of Coldingknows against James Hay of Carribber read and James Hay appointed to see and answer against the second Sederunt of Parliament nixt hereafter.

[Capt James Drummond]

PETITION and proces Captain James Drummond of Hill against his Creditors moved, and the Creditors called and the hearing of their procurators delayed till the nixt Sederunt of Parliament.

THE Committies appointed to meet to morrow at nyne of the clock in the ufuall places.

THE Lord President by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

AUGUST XXX, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

Warrand for Electing a Commiſsioner for the shyre of Cromarty

MOVED that a Warrand be granted to elect a Commiſsioner for the Shyre of Cromarty, in respect the Commiſsion produced for Mr Roderick Mackenzie of Prestounhall was by him paſt from The same was granted and the freeholders appointed to meet the laſt Teuſday of November nixt to proceed in the said Election.

[List of Ratifications read]

LIST of the Ratifications presented to be paſt this Seſsion of Parliament, read.

[List of Fairs & Mercats read]

LIST of fairs and weekly mercats craved to be granted this Seſsion of Parliament, read and some alterations made.

[Acts touched with the Scepter]

THE following Acts viz. Act for preventing disorders in supplying and planting vacant Churches, Act against Pocknet fishing upon the water of Forth, Act concerning the Registration of Probative Writs, Act in favors of Minors anent Registrating Summonds of Interruption &c. Act against Clandestine and Irregular Marriages &c. Act dischargeing the Wearing of Gold and Silver lace &c. Act regulating the manner of Buildings within the Toun of Edinburgh, Act anent Quartering of Souldiers, Act anent Quartering for deficiency, Act for the eaſe of small Vaſsalls of Lands holden formerly of Biſhops &c. now holden of the King, Act for a Pole, Act in favors of the Manufactory of Ropes and Cordage at Glasgow, and Act in favors of the Four ordinary Macers of Seſsion, all touched with the Scepter by his Majesties High Commiſsioner in the ufuall manner. The tenors of which severall Acts follow.

ACT for preventing of diſorders in the Supplying and Planting of vacant Churches

OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament for Remeeding the godleſs abuſe of rabling that of late hath so frequently happened in opposition to Miniſters orderly sent to Supply vacant Churches and for facilitating of the supplying and planting of vacant Churches and removeing all impediments and disorders that may obstruct the same strictly Prohibites and Discharges all persons whatsomever to make any opposition by rableing tumult or any other manner of violence to any Minister lawfully authorized and sent to preach at any vacant Church within the Kingdom either for supplying of the said vacancy or to exerce the Ministeriall function as fixed Ministers of the paroch and that under the pains of a Hundred pounds upon every Heretor or Lyferenter and of fifty merks upon any other unlanded person toties quoties And for such delinquents as are not able to pay that they shall be punished in their persons as the Lords of Privy Councill shall see cauſe; And farder for the better repreſsing of the forsaid opposition by rableing tumult or any other manner of violence His Majestie with advyce and consent forsaid Ratifies and Extends to the caſe therof the Seventh Act of the Parliament Imo vjc and thirty three Intituled Act anent Invadeing of Ministers and that in manner and with the alterations following: And therfor Statutes and Ordains that wherever any such rableing or tumult happens the Heretors and Lyferenters in whoſe bounds whither within or without the pariſh any of the perſons delated and accuſed as guilty of or acceſsory to the same dwells or reſides shall be holden upon intimation made to them by the Minister injured or by any in name of the Presbitry who sent him to produce the forsaids persons guilty and that they may be conveened befor the Lords of his Majesties Privy Councill for that effect Certificing the said Heretors and Liferenters that if they either failzie to produce the said persons if resideing within their bounds when the forsaid intimation shall be made or if they shall suffer the said persons withdrawing or absenting the time of the said intimation therafter to reſide and haunt openly within their bounds by the space of twenty dayes then and in these cases the said Heretors and Liferenters shall be esteemed Connivers with the delinquents and lyable as guilty art and part with them in their forsaid delinquency, And because notwithstanding of the Act & Proclamation of Councill made in the year 1690 for the 2

delivering of the Keyes of vacant Churches to the Presbitries or the persons haveing their order the persons havers therof do shift the same from hand to hand Therefore His Majestie with advice and consent forsaid Statutes and Ordains that where and whenever after requisition made by the Presbitry to the beddell or havers of the said keyes the same are refused and not given up then the nixt Magistrat Sherriff Lord of Regality or Baillie and their deputs or any Justice of Peace when required by the Presbitry or any from them shall repair to the said Kirk and there make open and patent the doors therof and put new Locks upon the same and delyver the Keyes to the said Presbitry or their order for their free use makeing of the same Certifieing the said inferior Magistrat who shall refuse when required to make the Church patent in manner forsaid he shall be lyable in the fyne of one hundred pounds Scots to be inflicted upon him by the Lords of Privy Councill, for the use of the poor of the paroch by and attour the Presbitries Expences.

ACT against Pocknet fishing upon the Water of Forth

3 HIS MAJESTIE with advyce and consent of the Estates of Parliament Prohibites and Discharges all Salmond fishing or other fishing whatsomever in the River of Forth above the Pow of Alloway on both sides of the said River with Pocknets Herry water nets or other engynes or devyces whatsomever not expresly allowed by Law, and to the prejudice of the Heritors and their rights of Salmond fishing in the said River; And Impowers Warrands and Commands the Sherriff principall of the Shyre of Stirling Baillie of the Water of Forth and his Deputs to suppress the forsaid unlawfull and prohibite manner of fishing and punish the users of the forsaid Pocknets Herry water nets and other unlawfull engynes, by fyneing not exceeding the sum of Twenty pounds Scots toties quoties or Imprisonment as they shall see cause and to destroy all the forsaid unlawfull Engynes; And that this they do as they shall be answerable.

ACT concerning Registration of Probative Writs

4 OUR SOVERAIGN LORD considering that it will be of great ease and advantage to the Leidges that Probative Writs be allowed to be Registrat albeit they want a Clause of Registration Therefore His Majestie with advyce and consent of the Estates of Parliament Statutes & Ordains that it shall be lawfull and leisum to Registrat for Conservation all Chartors granted by Subjects Dispositions, Bonds Contracts Tacks Reversions and all other Probative Writs in any publict authentick Register that is competent albeit the saids Writs want a Clause of Registration and the principall to be given back to the partie and the Extract to make intire faith in all Cases in the same manner as if the saids Writs had been Registrat by vertue of a Clause of Registration, except in the case of Improbations.

ACT in favors of Minors anent Registrating Summonds and Instruments of Interruption

FORASMUCH as by the nyneteenth Act of the 5
last Session of this current Parliament all Summonds and Instruments of Interruption of Prescription then raised and taken were ordained to be recorded in a particular Register to be appointed for that effect and that within a year after the date of the said Act which was the nynth day of October one thousand six hundred nynety six; His Majestie with advyce and consent of the Estates of Parliament does hereby Declare that the said years space should not run against Minors.

ACT against Clandestine and Irregular Marriages

OUR SOVERAIGN LORD with advyce and 6
consent of the Estates of Parliament for rendering more effectuall the Acts of Parliament against Clandestine and Irregular Marriages viz. The 34 Act of the first Parliament 1661 and 12 Act of the 5 Session of this current Parliament Statutes and Ordains that the parties clandestinely and irregularly married contrare to the said Act 1661 Declare when required the names and designations of the Minister or person who Celebrat the said clandestine or irregular Marriages and of such as were Witnesses to the said Marriages with Certification that if they refuse when required the forsaid parties married shall pay each Nobleman Two Thousand pounds each Baron and Landed Gentleman Two Thousand merks each Gentleman and Burgess One Thousand pound each other person Two Hundred merks to be applyed to pious uses within the parishes where the said persons dwell And furder be Imprisoned ay and while they do declare who were Celebrators of and Witnesses to the said Marriages, and also make payment of the resive penalties above mentioned. And for the better represing of the said clandestine Marriages it is furder Statute and Ordained that over and above the pains contained in the said Act 1661 and 1695 against Clandestine and Irregular Marriages the Celebrator of the said Clandestine Marriage shall be lyable to be summarly seazed and imprisoned by any ordinar Magistrat or Justice of Peace and farder punishable by the Lords of His

Majeſties Privy Councill not only by perpetuall baniſhment but by such pecuniall or corporall pains as the said Lords of Privy Councill shall think fit to inflict; As also that the Witneſses to the said clandestine Marriages shall be lyable each of them in the sum of ane Hundred pounds Scots toties quoties to be applied to the uſes & in manner above mentioned or if insolvent to such corporall puniſhment as the said Lords shall think fit to determine.

ACT Dischargeing the Wearing of Gold and Silver Lace

7 OUR SOVERAIGN LORD with advyce & consent of the Estates of Parliament Doth prohibite & forbid the Wearing of any Cloaths Stuffs Ribbons Fringes Tracing Loups Aggreements Buttons or any thing pertaining to apparell made of silver or gold threed, weir, or philagram or wherin there is any silver or gold threed weir or philagram or the counterfits therof on any part of their apparell at any time or in any place after the first of June nixt, and on horſe furniture already made at any time or in any place after the first day of June One thouſand seven hundred and one under the pain of burning and destroying the apparell and horſe furniture wherin any gold or silver threed weir or philagram shall be found and of fyve hundred merks to be payed by the perſon wearer therof the one half to the diſcoverer and the other half to belong to the Judge and all Sheriffs Baillies of Regalities Stewartries Baronies Juſtices of Peace and Magiſtrats of Burrows are declared to be Judges competent in those caſes who are to proceed and judge summarly therin and to impriſon the persons guilty till they obey the sentence or give sufficient security to do so within fyfteen dayes after sentence And lykewayes His Majesty with consent forsaid Doth prohibite the import of any cloath stuff ribbons fringes traceing or buttons wherin there is any silver or gold threed weir or philagrams after the date hereof under the pain of burning and destroying the said goods and a thousand merks besides of fyne on the importer to be judged and divided in manner abovewritten And it is hereby Declared that this preſent Act ſhall not be extended to the Officers and Souldiers of the horſe and foot guards as to their livery cloaths and other accoutriments for which they may import wear & uſe the same as formerly; and also allowing to all officers and souldiers to wear out their livery cloaths already made to the term of Martinmaſs one thousand six hundred and nynety nyne any thing in this Act notwithstanding.

ACT Regulating the manner of Building within the Toun of Edinburgh

OUR SOVERAIGN LORD Considering that 8
the new buildings within the City of Edinburgh haveing been built without any settled rule or particular oversight severall of the houſes are built to exceſsive incommodious and dangerous height and all of them very slight and insufficient wherby not only the policy and good neighbourhood of the Toun is prejudged but also in caſe of fire happening all acceſs for staying or extinguishing the same is so difficult that it may prove dangerous to the whole Toun For Remeid wherof and for the better ordering and regulating of all new buildings within the City of Edinburgh in all tyme comeing His Majestie with advyce and consent of the Estates of Parliament Statutes and Ordains That in the building of any new houſes or land within the city and suburbs theſe rules be observed viz. That the thicknes of the side wall above the calsay be after this manner That the first story be three foot thick the second story two foot nyne inches thick the third story two foot six inches thick the fourth story two foot three inches and the fyfth story two foot thick And if the walls be built with aiſler work that every tenth stone shall go through the wall to be a binding stone And that all middle or transing walls wherin there is no chimneys shall be at leaſt ten inches thick And that all breasts of ingoing windows shall be from twelve to fourteen inches thick And that all single gavells where chimneys are placed shall be of sufficient thickneſs for their vents of smoak allowing ten inches thick for the back and eight for the bosom and the wydeneſs betwixt back and bosom shall be according to the severall uſes viz. Kitchine chimneys which ought to be fyve or six foot of range two foot four inches wide betwixt back and bosom at the top of the lintell or arch and gradually to diminish to the coping of ten inches one way and eight inches the other way; and in all other chimneys which are three foot of range shall be one foot and an half betwixt back and boſom at the lintell and diminiſh to the coping eight inches the one way and six inches the other way; and other chimneys of leſser size are to be of fourteen inches betwixt back and boſom at the lintell and diminiſhed to the top seven inches the one way and six inches the other way; as also that the hearths of chimneys be corbled with stone a foot without the face of the perpendicular wall for carrieing the hearth stones and what remains for carrieing the hearth as need requires may be supplied with boards and gavells that carries chimneys on both sides there shall be one foot thickneſs betwixt back and back of the fumnells and that all bridges betwixt vents be three inches thick of hewen work

And Statutes and Ordaines that all new houſes be built no higher then fyve stories above the calsay as also that each puncheon load of lyme be refreshed at leaſt with one or two loads of sea sand besides the old rubbish of lyme that may be made uſe of; and that all jeasts laid in walls be two jeasts thickneſs of void betwixt jeaſts and that no jeaſts be laid under hearths or at the back of vents; and what jeasts are laid at the side of chimneys to be six inches free of any vent and to be built about with cloſs maſon work to defend them againſt fyre and that all dormonts may be only eight foot free void haveing a foot thick of mason work at each end free of any vent that may happen to be where they are laid And Ordains the Dean of Gild and his Councill within the Burgh of Edinburgh to give out Jedges and Warrands in the terms of and conform to this preſent Act and no otherwayes in all tyme comeing; As also Ratifies and Approves of all Acts of Parliament made in relation to the building and repairing of ruinous houſes within Burgh and particularly the fyfth Act third Seſsion Parliament first Charles Second and Ordains the same to be put to further execution.

ACT anent Quartering of Souldiers

9 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament for the eaſe of the Countrey in the matter of Quartering of Souldiers and for preventing the abuſes therof Statutes and Ordains that in tyme of peace within the Kingdom Souldiers in their locall Quarters shall only be quartered by these to whom the direction therof appertains in Burghs Royall or of Regality or the moſt capable mercat Touns within the Shyres where their quartering shall be ordered And that they shall not be quartered upon Tennents in disperſed onſteads in the Countrey upon pretence either of stuble quarters or of any other cauſe whatsomever excepting allennarly quarterings for deficiency as the same are regulat by former Acts of Parliament And farder it is Statute that wherever common souldiers are quartered either in locall or transient quarters the Landlord shall not be oblidged to furnith them either coall or candle save according to the ordinar condition of the houſe and after the manner of the ordinary domeſticks Which orders both officers and souldiers concerned are hereby commanded to obey as they will be answerable And farder His Majestie with advyce and consent forsaid Statutes & Ordains that for all abuſes and miſdemaners committed by souldiers in their locall or transient quarters againſt any of his Majesties leidges who are not souldiers they may either be complained upon to their officers or in the option of the party leſed conveened upon summar complaint befor the Juſtice of Peace or the ordinary Judges of the bounds and their deputes befor whom the officer shall be oblidged under the pain of one hundred merks and reparation of damnages toties quoties to sist them that they may be lyable to their sentences And His Majestie commands all officers in his Maties service to be carefull to cauſe all souldiers under their command to go to church and attend divine worship duely upon the Lords day As also to submit to the Ministers examinations and to church discipline and other censures in the place where they are quartered and that the officers themselves shew good example as they will be answerable And lastly His Majestie with advyce & consent forsaid moſt strictly forbids all free quarter and all abuseing or oppreſsion of His Majesties leidges by souldiers in their quarters or out of them and Ratifies all former Acts of Parliament againſt free quarters and abuses of quartering and particularly the 4 Act of the 4 Seſsion of this current Parliament And farder for rendering more effectuall the allowance thereby appointed to be given by Collectors of shyres and the Generall Receivers of what happens to be taken on by officers or souldiers or of what damnages are done by them in their quarters either locall or transient or for penalties of officers for not presenting souldiers as above His Majestie with advyce and consent forsaid Statutes and Ordains that any Collector refuseing the said allowance in the order prescribed in the said Act shall be lyable to the party leſed in the sum of one hundred pounds Scots toties quoties at the sight of any two of the Commiſsioners of aſseſsment and that the Generall Receiver refuseing the forſaid allowance to the Collectors shall be lyable not only to the pains contained in the said Act but in the sum of fyve hundred merks over and above toties quoties at the sight of the Lords of his Majesties Thesaury and Exchequer And it is hereby Declared that the same execution shall be granted for payment of carriages furniſhed to souldiers as for their intertainment in their quarters And His Majestie Recommends it to the Lords of his Privy Councill to cauſe this Act be punctually observed and to puniſh all the transgreſsors therof of whatsomever degree or quality.

ACT anent Quartering for Deficiency

OUR SOVERAIGN LORD with advyce and 10
consent of the Estates of Parliament for the farder relief of the Countrey as to Quarterings in the caſe of deficiency provyded for by the third Act of the third Parliament of King Charles Second Statutes and Ordains that wherever parties are sent to quarter upon deficients in manner provyded in the forsaid Act then and so soon as it shall be intimat to the said partie that the person or persons deficient have made payment of their deficiency leſs or more and the Collectors discharge

showen for the same the said Quartering as for deficiency shall ceaſe accordingly and the party quartered shall have no further allowance as for deficiency but shall be oblidged to remove or to pay for their Quarters as in the caſe of common Quartering untill they be removed And the Commiſsioners of Supply of the respective Shyres are to see theſe preſents punctually execute.

ACT for the Eaſe of small Vaſsalls of Biſhops Lands now holden of the King

11 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament for the farder eaſe of small Vaſsalls of Lands and others now holden of his Majestie by vertue of the twenty nynth Act of the second Seſsion of this current Parliament intituled Act anent the superiority of Lands and others which formerly held of Prelats or Biſhops and their Chapters to be now holden of the King and Queen Statutes and Ordains that not only the Signatures and Charters of the said Lands the valuation wherof is but one hundred pound Scots or under shall paſs the Great Seal per saltum without paſsing any other Seal and that gratis without payment of Composition in Exchequer or other dues sicklyke as is provyded by the thirty second Act of the ſaid Seſsion of Parliament in favors of Vaſsalls of the said Lands where their valuation is only ten pound Scots or under But lykewayes that in caſe of their deceiſs the speciall services and precepts for infefting of their heirs shall be expede in his Majesties Chancellary for the sum of ten merks for all dues and drink money and that they shall be free of paying a seasine ox to the Sherriff or Baillies of Regality and the dues to be payed by them to Sheriffs or Baillies of Regalitie for equees shall not exceed the twenty part of their few dutie and this Act to be without prejudice to the other small Vaſsalls of the said Lands of the other priviledges provyded to them by the forsaid thirty two Act of the second Seſsion of this Parliament.

ACT anent Pole Money

12 THE Estates of Parliament takeing to their consideration how much it concerns the honour and justice of the Kingdom that the officers who served in the late war be payed of their juſt arrears As also that the Captains and their inferior officers and seamen who served aboard of the frigots appointed for defence of the coaſt dureing the said war be payed of the debts found due to them by the Commiſsioners of the Admirality have not only Resolved that they will be carefull to have the forsaid arrears and debts payed in so far as they are still resting but do also toward payment of the arrears due to the officers of the regiments lately diſbanded or still in gariſon by the late establishment as they shall be stated by the Lords of His Majesties Thesaury and of the forsaid other debts as they are already declared to be due freely and cheerfully offer to His Majestie an subsidy to be uplifted by way of Polemoney. And for makeing of this offer effectuall His Majesty with advyce & consent of the said Estates of Parliament Doth Statute and Ordain that the persons following be lyable to and make payment of the Pole money aftermentioned in manner after prescribed viz: That all unlanded Gentlemen and all Merchants Seamen Shopkeepers Shopmen Tradesmen and others whoſe free stock and means not including workmens tools houſehold pleniſhing nor stocks of tenments upon their farms and poſseſsions is ane thousand merks and does not extend to fyve thousand merks shall be subject and lyable to Two pound ten ſhilling of Pole And that all the forsaid persons whoſe free stock and means not includeing as above is fyve thousand merks or above and does not extend to ten thousand merks shall be subject to Four pound of Pole That all the forenamed persons whoſe free stock and means not includeing as above is ten thousand merks or above in worth and value shall be lyable in Ten pound of Pole That all the forenamed persons whoſe free stock and means not includeing as above is twenty thousand merks or above Fyfteen pounds of Pole That all the forenamed persons whoſe free stock and means not includeing as above is thirty thousand merks or above Twenty pounds of Pole That all the forenamed persons whoſe free stock and means not includeing as above is fourty thousand merks or above Twenty four pounds of Pole money That all Heretors of sixty pounds and below two hundred pounds of valued rent be subject and lyable to Three pounds of Pole That all Heretors of two hundred pounds and under fyve hundred pounds of valued rent be lyable to Nyne pounds of Pole money That all Heretors of fyve hundred pounds and under one thousand pound of valued rent be lyable to twelve pounds of Pole money That all Heritors of one thousand pounds of valued rent and above the same and all Knights be lyable to Twenty four pounds of Polemoney That all Lords pay Fourty pounds of Polemoney That all Viſcounts pay Fifty pounds of Polemoney That all Earls pay Sixty pounds of Polemoney That all Marqueſses pay Eighty pounds of Polemoney That all Dukes pay One hundred pounds of Polemoney That the Sons of Noblemen forisfamiliat pay according to their ranks viz. All Dukes eldeſt sons as Marqueſses and their younger sons as Earls All Marqueſses eldeſt sons as Earls and their younger sons as Viſcounts All Earls eldeſt sons as Viſcounts and their younger sons to pay Twenty four pounds of Pole money All Viſcounts and Lords sons to be lyable in Twenty four pounds of Pole That

Widows whoſe husbands would have been lyable to Two pound ten shilling of Pole or above be subject and lyable to ane third part of their huſbands Pole except Heireſſes who shall be subject to the same Pole as their predeceſsors would have been That all Notars and Procurators before inferior Courts & Meſsengers at arms be subject to Four pounds of Polemoney That all Wryters not to the Signet Agents and Clerks of inferior Civil Courts and Macers and under Clerks of Seſsion pay Six pounds of Polemoney That all Advocats Clerks of Soveraign Courts Wryters to the Signet Sherriffs and their deputs Commiſsaries and their deputes Doctors of medicine Apothecaries Chirurgeons and others repute Doctors of medicine pay Twelve pounds of Pole That all Commiſsionat officers of the standing forces be lyable in four dayes pay for their Pole That all persons lyable in the forsaid Pole if poled in different capacities are only to pay their highest Pole And for the better stateing ordering and uplifting the said Pole His Majestie with advyce forsaid Statutes and Ordains that the Commiſsioners of aſseſsment or their quorum shall meet & conveen at the ordinary place of their meeting upon the second Tueſday of October nixt and there shall divyde the whole Commiſsioners whither present or absent into such diviſions and for such bounds as they shall see convenient to meet the first Tueſday of November therafter at the respective places to be appointed Impowering the said Commiſsioners to take up rolls and liſts of the said poleable persons within the respective bounds appointed to them containing the names qualities and degrees of the severall perſons and of the value of the estates belonging to them conform to the said Act And ordains the Magistrats of Burghs Royall to meet the third Tuesday of October nixt and to take up rolls & liſts of all the poleable persons within the respective Burghs containing their names qualities and degrees and the value of their estates And which Commiſsioners and Magiſtrats of Burghs are to give Intimation at the Kirk door upon a Lords day upon three dayes warning at leaſt to the persons to be poled to compear before them at the said respective places to be appointed and give up their names qualities and degrees and values of their estates to the effect the respective Poles may be stated and set down to the Commiſsioners or Magistrats And which Rolls the saids persons are to give up or send under their hands or if they cannot wryte their name quality degree and estate shall be marked by the Clerk With Certification that such as do not compear or send under their hands their names qualities and value of their estates or do give up the same otherwayes then it should be they shall be lyable in the quadruple of their pole one half to the informer who shall make the same appear And which liſts and rolls being so made up within the respective subdiviſions shall be recorded in a Register of the Shyre or Burgh for that purpoſe wherof there shall be an abstract sent to the Lords of the Thesaury betwixt and the third Tuesday of December nixt containing the number of the perſons in the severall claſses and ranks abovespecified with the extent of their Pole And His Majestie with advyce and consent forsaid Ordains the said Polemoney to be payed the first day of January nixt to come or within thirty dayes therafter to the Collector of the Ceſs or to the Collector to be appointed by the Farmers in caſe the same shall be set in farm at the respective head burghs of the shyres where the persons concerned dwell for which Discharges are to be granted to the payers gratis And Requires the Commiſsioners of Aſseſsment and Magistrats of Burghs or the said Farmers to cauſe Intimation be made for the payment therof at the kirk doors of the severall paroches upon the second Lords day of December Certifieing such as shall not make punctuall payment at the said first day of January or within the said thirty dayes therafter they shall be lyable in the double if paying within other thirty dayes therafter or if failzieing after both the said thirty dayes in the quadruple of their Pole And Ordains execution to be uſed againſt them for the same either by the Collector of the shyre or the Collectors to be appointed by the said farmer by poynding of their readieſt goods or impriſoning their persons the forsaid poynding and impriſoning allwayes proceeding upon the sentence of one of the Commiſsioners for aſseſsment or any other inferior Judge where the perſon lives at the instance of the said Collectors who are hereby declared comptable for the said Pole viz. the Collector of the shyre as for the Ceſs or the Collector of the Farmer to the farmer Lykeas His Majestie with advyce and conſent forsaid hereby Impowers the Lords of Privy Councill to order and appoint such further methods and courſes as they shall judge fit for stateing and inbringing of the Polemoney aforsaid and to allow out of the said Polemoney such charges and expences as shall be neceſsary for execution of this Act And His Majeſtie and Eſtates forsaid Do hereby strictly destinat appropriat and appoint the sums to be raiſed by this Act for the ends and uſes abovespecified and none other and to be distribute and proportionally payed to the persons haveing intereſt by the orders of the Lords of Thesaury as they shall find their debts to be due With this Declaration that any of the said officers who have clothed their regiments or companies in gariſons shall be payed of their said cloathing money And the said Captains of the friggots who advanced for proviſion to their said seamen and frigots shall be payed of their respective advances both in the first place And the Estates of Parliament haveing Considered the Petition presented to them by the Officers of the Scots Regiments that served in Flanders and are

now diſbanded Do humbly Recommend to His Majeſtie to appoint out of the forsaid Pole impoſed by this Act not exceeding the fourth part therof to such of the saids officers such part of their arrears after the first of February I^{m} vj^{c} and nyney one and preceeding I^{m} vj^{c} nyney three years as His Majeſtie shall think fit And lastly it is hereby Declared that no persons lyable in payment of the Pole shall be holden to produce their discharges or recepts of the same two years after the term of payment.

ACT in favors of the Manufactory for Ropes and Cordage at Glasgow

13 OUR SOVERAIGN LORD takeing into his Royall Consideration that there is a Manufactory set up at the Toun of Glasgow for makeing of Ropes and Cordage for the uſe of shipping or for other uſes in the Countrey And lykewayes considering that the Cordage imported from the Sound and Eaſt Seas is no wayes sufficient Therefor His Majestie with advyce and consent of the Estates of Parliament for the encouragement of the said Manufactory Statute and Ordain that a duty of fifty shilling Scots upon each Hundred weight of Cords and Ropes imported from the Sound or Eaſt Seas for sale after the first day of February nixt shall be Exacted for his Majeſties uſe by all Tacksmen Collectors or Surveyers of His Majesties Customs and their Servants for whom the Maſter shall be answerable under the penalty of Fyve Hundred merks the one half to belong to His Majeſtie and the other to the informer besides the loſs of their offices and Confiscation of the goods imported.

ACT in favors of the Four Ordinary Macers of the Seſsion

14 ANENT the Petition given in and presented unto his Grace His Majesties High Commiſsioner and the Right Honourable the Estates of Parliament by the Four ordinary Macers befor the Lords of Councill and Seſsion humbly Shewing that where the Petitioners have the honour to be a part of the originall Constitution of the Colledge of Justice And tho they are not in that eminency and order as severall others yet their service to the Lords and Leidges is amongſt the most laborious And there are fewer of their Station seen to arryve to the age of old men then any of the reſt that compoſe that Honourable Society Their Dues & Sallaries were eſtabliſhed with regaird to the valūe of money and the plenty of neceſsars that they then obtained And tho the other orders of that Society have justly encreaſed their allowances as these circumstances changed yet the Petitioners did obtain no alteration of or addition to their provisions. Posterior Laws and Regulations in form of procedure did considerably change the condition of all thoſe who were of higher ranks and they had still that weight as to obtain a juſt retribution for what they suffered by changes to the publict advantage The Petitioners only did continue silent till the many alterations which have been thought neceſsary for the publict good had so impaired their emoluments that they could no longer hold their peace without betraying their poor families The Petitioners did therefor moſt humbly beseech his Grace and the Right honourable Estates of Parliament to take to their consideration some of the moſt considerable instances whereby their emoluments have been diminished and the reaſons why they humbly expect some care should be taken to repair what they suffer In the first place then it deserves to be considered that the Petitioners their allowances and profites ariſe from very small dues and that their service and attendance is constant and laborious and that their labours being continuall they and their families must depend for bread upon that imployment And it is impoſsible that they can pursue any other way of liveing So that the disappointments in the offices they have taken themselves unto abandoning all other buſineſs muſt needs be very grievous Secundo the Petitioners lawfull profites did ariſe not from their Sallaries which are very mean and inconsiderable for wheras the Macers of Councill have fifty pound Sterling the Petitioners have only Ten lib. per annum But the Petitioners emoluments aroſe from a small duty upon each pronounced Decreet and upon each Testimony of a witnes or oath of party Both which have been diminiſhed in manner following Primo as to the dues payable for Testimonies after the Act of Parliament appointing the publication of Testimonies all parties knowing more preciſely the tenor and contents of the Depositions do adduce fewer Witneſses then they uſe to do befor For when it was not known what the Testimonies did contain parties did not rest till they had adduced all that could depone upon the matter wheras now when they have acceſs to hear and see the testimonies they are judges where to stop in adduceing witneſses Secundo the Petitioners their benefite by Decreets is in many wayes impared And first Wheras formerly they had the priviledge to score at the Minut Book all Decreets pronunced within twenty four hours after they were read in the Minut Book untill their dues were payed which hindered the Decreets to be Extracted afterwards unleſs they were of new put up the Lords of Session did juſtly abrogat that priviledge And though their Lordships did endeavour to secure the Petitioners intereſt by other methods yet their emoluments proved leſs certain Secundo tho the Petitioners are at the same trouble in calling and attending both the ordinaries parties and witneſses in cauſes which never come to a Decreet and much

more commonly in cauſes where the Decreet is pronounced and never Extracted yet for all theſe proceſses they get not a farthing and theſe amount to a fyfth part of the Decreets pronunced Tertio Wheras formerly there were Decreets of transferrings activè in caſes where the pursuer dyed dureing the dependence and Decreets of Constitution were neceſsary at the instance of the repreſentatives of defunct Creditors to whom bonds bearing registration were granted and for both these Decreets the Petitioners had their dues Yet by posterior Acts these Decreets are intirely taken away and the Petitioners loſs that benefite Tertio Besides theſe instances wherin the Petitioners directly suffer and wherof many more might be given if neceſsary the alterations that have been made in the forms of procedure have many other wayes diminiſhed the Petitioners known profites Quarto since the Revolution it is known how often the Summer Seſsion has been disappointed which did lykewayes encreaſe the Petitioners disadvantage The Petitioners did not at all complain of thoſe alterations which have been happily made for the publict good, on the contrair they did moſt cheerfully acquiesce But seeing it is moſt reaſonable that what benefite the publict reap by theſe juſt and neceſsary alterations should import no prejudice to the Petitioners in their privat imployments and neceſsar allowance for their offices which they have all purchaſed for moſt onerous cauſes The Petitioners did not Question that his Grace and the Right Honourable the Estates of Parliament would in their Wiſdom and Compaſsion provyde for their rèlief Especially seeing tho they suffer loſs yet there was never any Complaint to this day that their dues were any wayes burdenſom or exorbitant The Petitioners did not pretend to prelimit his Grace and the Riglit Honourable the Estates of Parliament But with due submiſsion they did humbly offer to consideration that seeing no proces comes to an act befor they are at considerable pains and even after the Acts are Extracted befor the cauſe comes to the Innerhouſe their trouble is not small there might be Twelve shilling Scots allowed them on each first Extracted Act allennarly in each proces besides their preſent dues which will not amount to Ten pound Sterling yearly to each of them and will be very insensible and far short of the loſses they have formerly suſtained by the former alterations And therefor humbly Craveing his Grace and Right Honourable the Estates of Parliament of their Wiſdom & Goodneſs to provyde some suteable remeed for the loſses already suſtained to prevent the Petitioners damnages in tyme comeing And if no more reasonable propoſall be offered to allow them Twelve shilling Scots upon each first Extracted Act to be collected in the same manner as their dues upon Decreets now are conform to the Clerks respondee books as the said Petition bears Which being read in presence of and considered by His Majesties High Commiſsioner and the Estates of Parliament and they being therwith well and ryply advyſed They have Granted and hereby Grant to the Petitioners Twelve Shilling Scots upon each firſt Extracted Act and have Ordained and hereby Ordain Payment to be made accordingly to be Collected in manner above written.

THE following Acts viz. Act anent the Poor Act anent the Tunnadge Act for tranſporting the Exciſe of Brandy and Act for a second years Pole read for a second tyme and after some debate & amendments all of them again read voted and approven. [Acts voted & approven]

DRAUGHTS of the following Acts viz. Act for an additionall allowance to the Lords of Seſsion Act for a constant faſhion of Apparell Act Ratifieing an Act and Proclamation of Councill anent persons going to and returning from France Act Regulating the Trade betwixt Burghs Royall and Burghs of Regality Barrony & others Act for settleing the Communication of Trade and Act anent the Entering and Surveying of goods all Read for the firſt tyme & ordered to lye on the table. [Acts read for a first time]

ACT in favors of the Manufactory of whyte paper Offered and Remitted to the Committie for Trade. [Manufactory of White Paper]

ACT anent Tailzies containing irritant clauſes read a second tyme And after some debate the vote was put Proceed to the farder Consideration of the Act or Delay and carried Proceed And the Act being again read It was represented by the Marques of Tweddale that he judged himself concerned And therfor Craved his procurators might be heard befor the paſsing of the Act Which was granted and the second ensueing Sederunt of Parliament therto appointed. [Anent Tailzies]

THE Committies appointed to meet to morrow at nyne of the clock in the usuall places.

THEN the Lord President by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at Ten of the clock in the forenoon.

AUGUST XXXI, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

ACTS of Ratification in favors of severall persons presented and paſt Wherof the Tenors follow..

RATIFICATION in favors of James Duke of Queensberry of the Earldom & Regality of Drumlangrig

OUR SOVERAIGN LORD with the advyce and consent of the Estates of Parliament of his Majesties ancient Kingdom of Scotland be thir presents Ratifies Approves and Confirms ane Chartor Granted by His Majestie under his Royall Hand and Great Seal of his said Kingdom in favors of His Majesties truſty and moſt intirely beloved Cousine and Counsellour James Duke of Queensberry of the date at his Majesties Court at Kensingtoun the Twenty third day of Apryle Imo vjc nynety seven years Whereby His Majestie with advyce and consent of the Lords and others Commiſsioners of His Highnes Thesaury and Exchequer of His said Kingdom Gave Granted & Disponed and for His Majestie and his Highnes Succeſsors perpetually Confirmed to and in favors of the said James Duke of Queensberry and the heirs male lawfully procreat or to be procreat of his body Which failzieing to any other person or persons whom he should name in his own lyfetime Which failzieing to his heirs male and of Tailzie and provision and other heirs and aſsigneys whatsomever contained or to be contained in the Infeftments of the Earldom and Estate of Queensberry and with and under the provisions and restrictions therin specified heretably and irredeemably all and sundry the Lands and others under written with the pertinents viz. all and haill the Lands of Sprinkell Newtoun and Logan and all and haill the Thirty merk Land of Kirkconnell of old extent with the caſtle tower fortalice milne multurs fishings and all other pertinents lying in the parochine of Kirkconnell Stewartry of Annandale & Sheriffdom of Dumfreis with the advocation donation and right of patronage of the paroch kirk of Kirkconnell and parochine therof and personadge and viccaradge of the samine and all and haill the three merk Land of Aldermanseat the merk Land and half merk Land of Buſs the three merk Land of Fairholmflats the three merk Land of Southwood the two merk Land of Firth and Fosters Croft the merk land and half merk Land of Smelholme the three merk Land of Haizellsyde and three merk Land of Old Logan the merk Land of Greenwrae and all and haill the fyve merk Land of Cruikholme and Hielayes the merk Land of Sarcruiks and all and haill the three merk Land of Baugray the merk and half merk Land of Timpenbrecksyde and all & haill the three merk Land of Kirkrigs the half merk Land of Watts the Lands called Manſhewsteads all and haill the merk Land of Chartorustren and all and haill the three merk Land of Blacksark with the parts pendicles and pertinents therof lying within the Stewartrie of Annandale and Shirriffdom of Dumfreis forsaid All and haill the twenty pound Land of Turnmuir Mantorig Roberthill and Tuxholme with the pendicles tennents tennandries and service of free tennents with the pertinents therof and fishing belonging therunto lying in the Barony of Drysdale Stewartry of Annandale & Sheriffdom of Dumfreis All and haill the twenty three merk Land of Midlebie with the advocation and donation of the paroch Kirk & parochine therof and patronage of the samine lying within the paroch of Midlebie and Stewartry of Annandale All and haill the fyve pound Land of Wormanbie with the pertinents the Lands of Spittle of Howes as being part and pertinent of the Lands called the Preceptory of Trailltrow lying in the parochine of Cummertrees Stewartry of Annandale and Sherriffdom forsaid All and haill the fourty merk land of Caſtlemilk and Weſtwood comprehending the toun & maynes of Caſtlemilk Holmhead Houscleugh Middleshaw Souriefyde Brocklerig Guyleburn Broadshaw Nutholm and Nutholmhill Kirkbank and Northcroft Highlaw Newtoun and Fouldoors with the myln mylnlands multures sequells houſes biggings yeards woods fishings parts pendicles and haill pertinents therof all lying within the parochine of Saint Mungo Stewartry of Annandale and Sheriffdom of Dumfreis All and haill the Lands of Dobbiestoun with the parts pendicles and pertinents therof lying within the parochine of Tinnergirth Stewartry and Sherriffdom forsaid togither with the Lands of Carruthers croft and Tannasyde alias Tannalie lying within the parochine of Carruthers and Sherriffdom of Dumfreis as for the principall and in speciall & reall Warrandice and Security to the said James Duke of Queensberry and his forsaids of the samine all and sundry the remanent Lands Lordships Barronies mylns woods fishings caſtles towers heretable offices fies teynds ärents and others particularly insert in the said Chartor belonging to William Earl of Nithisdale and the other persons afternamed And sicklyke Our said Soveraign Lord with advyce and consent forsaid by the forsaid Chartor Gave Granted and Diſponed and for his Majeſtie and his forsaids perpetually Confirmed to the said James Duke of Queensberry & his forsaids All and haill the fourty shilling Land of Kirklehead alias Hopehead and Setthorn and fourty shilling

Land of Tana and Ruchlie with the pertinents of the samine lying within the parochine of Middlebee and Stewartry of Annandale forsaid Which Chartor proceeds upon severall apprifeings and adjudications led and deduced againft the. said Wm Earl of Nithsdale and his predeceſors and upon the said James Duke of Queensberry his rights therto all particularly therin narrated and alſo upon the Reſignation of the said William Earl of Nithsdale with consent of his Curators therein named and of Mary Counteſs of Traquair with consent of Charles Earl of Traquair her huſband for his intereſt and of the said Charles Earl of Traquair for himselfe and as takeing burden upon him for his said spouſe with conſent of the said William Earl of Nithsdale and of severall other persons therin named and of them all with one consent and aſsent in manner specified in the said Chartor Moreover Our said Soveraign Lord with advyce and consent forsaid for the many good true and faithfull services done and performed to His Majestie by the said James Duke of Queensberry of certain knowledge and proper motive of new Gave Granted & Diſponed and for His Majestie and his Highneſs Succeſsors forsaids perpetually confirmed to and in favors of the said James Duke of Queensberry and his forsaids All and Haill the said fourty shilling Land of Kirklehead alias Hopehead and Sethorn and the said fourty shilling Land of Tana and Ruchlie with their pertinents And sicklyke all and sundry the lands teynds patronages fishings and others particularly abovewritten with their sea^n^ pertinents lying as said is Disponed to the said James Duke of Queensberry as for the prin^t^ in manner abovewritten Togither with all right title intereſt claim of right as well petitor as poſſeſsor which His Majestie or his Royall Predeceſsors or Succeſsors had have or any wayes may have ask claim or pretend therto or to any part therof or to the maills ferms kayns cuſtomes casualities profites or duties of the samine of whatsomever years or terms bygone and to come by reason of waird nonentry relief marriage escheat forfaulture recognition purpresture disclamation baſtardy laſt heir alienation of the whole or moſt part of the Lands and others abovewritten or of ãrents one or mae to be uplifted furth of the samen exceeding the greateſt part of the yearly rent therof without consent licence or confirmation had and obtained from His Majestie or his Royall predeceſsors reduction or nullities of infeftments retours services and other evidents rights or securities of the saids Lands not payment of the few blench or other duties of the samine not shewing or produceing the holding Chartors and rights therof or by whatsomever other right or title or by vertue of whatsomever Acts of Parliament Laws Statutes and Constitutions of the said Kingdom made or to be made in the contrare or by vertue of whatsomever other right casuality or pretence of right or by whatsomever cauſe or occasion preceeding the date of the said Chartor Renunceing Transferring and Overgiveing of the same with all action and instance therof from His Majestie and His Highneſs forsaids in favors of the said James Duke of Queensberry and his forsaids for now and ever Cum pacto de non petendo and with supplement of all other defects & imperfections of the samine as well not named as named which His Majestie with consent forsaid willed to have been as expreſt in the said Chartor Lykeas thereby Our said Soveraign Lord with advyce and consent forsaid Diſsolved Disjoyned and Dismembered all and sundry the forsaid Lands teynds patronadges mylnes fishings and others above written disponed to the said James Duke of Queensberry and his forsaids in principall from the Earldom Lordship and Barrony of Nithsdale and from all other Lordships Baronies and other Jurisdictions whatsomever whereunto they had been uhited annexed and incorporat and by the forſaid Chartor of new Created Erected and Incorporat the samine Lands and others above written with the pertinents in ane free Regality with free Chappell & Chancellary togither with the priviledge and jurisdiction of ane free Regality within the haill bounds of the forsaid Lands and others above written with the pertinents with all and sundry other liberties priviledges jurisdictions immunities profites emoluments and casualities whatſomever pertaining and belonging to any Regality within His Majesties said Kingdom As also by the forsaid Chartor His Majestie with advyce and consent forsaid did unite annex and incorporat the forsaid Lands and others above written with the pertinents with the forsaid liberty and priviledge of free Regality and Justiciary and of free Chappell and Chancellary within the haill bounds of the samine in and to the Earldom of Queensberry and Regality of Drumlangrig alias New Dalgarno to remain and abide inseperably therewith as part and pertinent of the samen in all time comeing With Dispensation for ane Seasine taken or to be taken be the said James Duke of Queensberry and his forsaids at the caſtle tower or fortalice of Drumlangrig principall meſsuadge of the said Earldom of Queensberry and Regality of Drumlangrig alias New Dalgarno or upon the ground of any part of the said Lands by delivery of earth and stone allennarly without any other symboll to be valid and sufficient for the whole Lands principall & warrandice above written To be Holden and to be Held all and sundry the Lands teynds milns fishings patronadges and others above written with the pertinents disponed to the said James Duke of Queensberry and his forsaids in principall and in caſe of Eviction therof all and sundry the Lands Lordships Baronies Teynds patronages heretable offices and juriſdictions mylns fishings and others

abovewritten with all their severall pertinents abovespecified lying as said is to the said James Duke of Queensberry and his forsaids of Our said Soveraign Lord and His Highneſs Succeſsors immediat lawfull superiors therof in free Regality ſie and heretadge by all rights meaths and marches therof old and divided as the samine lyes in length and breadth in houſes biggings &c. mylns multurs haulkings huntings &c. with court plaint heregeld &c. free iſh & entry &c. with all and sundry other commodities &c. freely &c. but revocation &c. Giveing yearly the said James Duke of Queensberry and his forsaids to Our said Soveraign Lord and his Succeſsors superiors of the same abovewritten for all and sundry the forsaid Lands of Sprinkell Newtoun and Logan and all and haill the said thirty merk Land of Kirkconnell with the advocation donation and right of patronadge of the said paroch kirk of Kirkconnell and parochine therof and parsonadge and viccarage of the samine And the said three merk Land of Aldermanseat the said merk Land and half merk Land of Buſs the said three merk Land of Fairholmflats the said three merk Land of Southwood the said two merk Land of Firth and Forresters croft the said merk and half merk Land of Smelholm the said three merk Land of Hazellside the said three merk Land of Auldlogan the said merk Land of Greenwrae the said fyve merk Land of Cruikholme and Haylayes the said merk Land of Sarcreuks the said three merk Land of Baulgray the said merk and half merk Land of Timpenbrecksyde the said three merk Land of Kirkrigs the said half merk Land of Watts the saids Lands called Manshewsteads the said merk Land of Chartorustren the said three merk Land of Blacksark the saids Lands of Spittle of Hows being a part of the saids Lands and preceptory of Trailtrow And for all and haill the said twenty three merk Land of Midlebie with the advocation and donation of the paroch kirk and parochine therof and patronadge of the samine with their severall houſes biggings and others pertinents of the samine abovewritten lying as said is ane penny Scots money at the feast of Whitsunday in name of blench ferm if the samine beis aſked allennarly. And for all and haill the said fourty merk Land of Castlemilk and Westwood comprehending the said Toun and maynes of Caſtlemilk Holmehead Howscleugh Middleshaw Souriesyde Brocklerig Guyleburn Broadshaw Nutholm and Nutholmhill Kirkbank & Northcroft Highlaw Newtoun and Fouldoors with the myln mylnlands multurs and sequells of the samine And the saids Lands of Dobiestoun with their pertinents abovewritten all lying as said is the sum of Thirty pounds thirteen shilling four pennies money forsaid at two terms in the year Whitsunday and Martinmaſs by equall portions in name of few ferm duty and doubleing the said few ferm duty the firſt years entry of every heir to the saids Lands as uſe of few ferm is allennarly And siclyke for all and haill the saids Lands of Carruthers croft and Tanasyde alias Tannalie with the pertinents lying as said is the sum of ten shilling money forsaid at two terms in the year Whitsunday and Martinmaſs by equall portions in name of few ferm duty and doubleing the said few ferm dutie the first years entry of every heir to the said Lands as uſe of few ferm is allennarly And that as a proportionall part of the sum of fourty shilling money forsaid of few duty payable by the said William Earl of Nithsdale and his predeceſsors for the said Lands and diverſe other Lands conform to his Chartors and Infeftments therof As also for all and haill the said twenty pound Land of Turnmuir Mantorig Roberthill and Tuxholm And for all and haill the said fyve pound Land of Wormanbie and the said fourty shilling Land of Kirklehead alias Hopehead and Setthorn and the said fourty shilling Land of Tana and Ruchlie with their pertinents abovewritten extending in haill to ane four pound Land of old extent lying as said is the taxt duties of waird nonentry and relief and marriage underwritten viz. dureing the haill tyme and space of the waird and nonentry of the said Lands reſive whensoever the samine shall happen in tyme comeing the sum of twenty nyne pounds Scots money yearly at two terms in the year Whitsunday and Martinmaſs by equall portions with the sum of twenty nyne pound money forsaid for the relief therof when the samine shall happen And for the marriage of the said James Duke of Queensberrys heirs and aſsigneyes reſive forsaid and haill availls casualities and profites therof the sum of fifty eight pounds money forsaid To wliich sums reſive abovewritten in name of taxt waird nonentry relief and marriage the saids Lands and others abovewritten with the pertinents formerly holden by service of waird and relief our said Soveraign Lord with advice and consent forsaid Has by the forsaid Chartor of his certain knowledge and proper motive Taxed the forsaid waird nonentry relief and marriage reſive how oft and whensoever the samine shall happen to vaik and fall in all tyme comeing And lastly in caſe of eviction of the forsaid Lands disponed to the said James Duke of Queensberry and his forsaids in principall or any part therof For all and sundry the Lands Lordships Baronies teynds patronages mylns fishings heretable offices and jurisdictions and others abovewritten with the pertinents lying as said is the few ferm and blench ferm duties and other duties rights and services formerly uſed and wont to be payed furth of the samine and that proportionally and according to the said eviction allennarly for all other burden &c. as the said Chartor containing therintill ane dispensation for serveing of and infefting the heirs and succeſsors of the said James Duke of Queensberry and his forsaids in the for-

saids Lands with the pertinents formerly holden waird and now taxt waird of us in their minority and lefs age with ane precept of seasine more fully bears Togither with the said Precept of Seasine itself and Instrument of Seasine following or competent to follow therupon in the haill heads articles clauſes conditions and circumstances of the samine after the forms and tenors therof in all points Hereby Willing and Declairing and for his Majestie and his forsaids Decerning and Ordaining this present Ratification to be of als great force strength and effect to the said James Duke of Queensberry and his forsaids to all intents and purpoſes as if the forsaid Chartor Precept of Seasine therin contained and Instrument of Seasine following or competent to follow therupon were inſert verbatim hereintill Wheranent and with all other defects and imperfections that may or can be moved or objected againſt the samine or againſt this present Ratification therof Our said Soveraign Lord with advyce and consent of the Estates of Parliament of his said Kingdom has Dispensed and hereby Dispenses for ever.

RATIFICATION in favors of James Viscount of Seafield of the Lordship Regality & Barony of Ogilvie

16 OUR SOVERAIGN LORD with advyce and consent of the Estates of this present Parliament Ratifies and Approves and for His Majestie and his succeſsors perpetually Confirms the Chartor and Infeftment granted by His Majestie with advyce and consent of the Lords and others of His Majesties Thesaury and Exchequer of the Kingdome of Scotland to His Majesties right trusty and right well beloved Couſin and Councillour James Viscount of Seafield therby designed Sir James Ogilvy of that Ilk Knight principall Secretary of State to His Majestie for the said Kingdom and to his heirs male and of tailzie and provision afterspecified under the reservations proviſions conditions restrictions and qualifications aftermentioned Of all and haill the Lands Regality Lordship and Barony of Ogilvie comprehending the severall other Lands Barronies patronadges teynds mylns multurs heretable offices fishings and Burgh of Regality with a new erected Regality and with a new gift of the haill and a gift of the mynes and mineralls, & an union and incorporating the same in ane haill and free Regality Lordship and Barony called the Lordship Regality and Barony of Ogilvie Which Chartor is dated at His Majesties Court at Kensingtoun the twenty seventh day of June last bypaſt and wherof the tenor followes*

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* The Charter under the Great Seal is here recited at length in the Record.

Togither with the Precept of Seaſine insert in the forsaid Chartor and Inſtrument of Seaſine to follow thereupon in all and sundry heads points articles circumstances and conditions contained in the forsaid Chartor and Precept and after the forms and tenors therof in all points And His Majestie with advyce and conſent of the Estates of this present Parliament Statutes and Ordains that the forsaid Chartor containing a new Erection of the Regality and Burgh of Regality abovementioned with the Precept of Seaſine contained therein and Instrument of Seaſine to follow therupon shall stand & subſiſt and shall be good valid and sufficient rights to the said James now Viscount of Seafield and his forsaids in so far as concerns the intereſt of his Majestie and his Royall Succeſsors And that the said new Erections shall no wayes be prejudiciall to the said James Viscount of Seafield his former rights and infeftments & securities of any other heretable offices particularly the Bailliary of Strathyla and Constabulary of Cullen And shall never be revocked nor quarrelled by our said Soveraign Lord nor his Royall Succeſsors in tyme comeing And shall be as valid effectuall and sufficient as if the same had been given after the takeing of the forsaid Seaſine and as if the Seaſine had been inſert herein with the Chartor & Precept Wheranent Our said Soveraign Lord with advyce and consent of the Estates of Parliament for himselfe and his Succeſsors has Dispensed and by thir presents Dispenses for ever.

RATIFICATION in favors of George Baillie of Jervifwood of the Lands and Barony of Mellerstains

17 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament hath Ratified and Approven and by the tenor hereof Ratifies and Approves ane Chartor under the Great Seal Granted by his Majestie with consent of the Commiſsioners for His Highneſs Thesaury and Exchequer for the time to and in favors of George Baillie of Jerveswood and his heirs male which failzieing his heirs and aſsigneys whatsomever heretably & irredeemably of all and haill the Lands and Barony of Mellerstaines with the mannor place houſes biggings yeards orchyeards milnes milnlands parts pendicles and pertinents therof comprehending the Toun and Maynes of Mellerstains haill huſband Lands lying within the territory of Mellerstains the Lands of Colterooks the Lands of Ruchehill the caſt half of the Toun and Lands of Fauns with the pertinents and comprehending the remanent Lands and others lying within the Sherriffdom of Berwick and particularly designed in the service and retour of the said George Baillie as heir to the deceiſt Mr Robert Baillie of Jervefwood his father dated the twentieth day of De-

eember I^m vj^c^ nynety years and which Chartor is dated at the Court of Kensingtoun the twenty eight day of February I^m vj^c^ nynety fyve years And the said Chartor contains ane ample clauſe De Novo Damus of the Lands Barrony and others abovewritten in favors of the said George Baillie and his forsds And alſe the holding of the said Lands Barrony and others abovewritten are changed by the said Chartor from ane waird holding to ane taxt waird holding for payment of the taxed duties underwritten to wit the sum of three hundred pounds Scots money yearly dureing the space of the waird and nonentry of the said Lands or either of them And alſe the sum of three hundred pounds money forsaid for relief of the Lands abovewritten And lykewayes the sum of six hundred pounds money forsaid for the marriage of the heir when the samen falls out To the which sums of money rexive abovewritten His Majestie with consent of the Commiſsioners for his Highneſs Thesaury & Exchequer hath taxed the said waird nonentry relief and marriage in all tyme comeing And now as if the said casualities were fallen in his Highneſs hands Our Soveraign Lord for his Majestie and his Succeſsors hath Aſsigned Given Granted and Diſponed the said waird nonentry and relief of the said Lands and others abovewritten with the marriage of the heirs in all tyme comeing Togither with the haill profites and pryces thereof to and in favors of the said George Baillie and his forsaids for now & ever for payment of the forsaid taxed duties Inhibiteing and Dischargeing by the said Chartor the Commiſsioners for the Thesaury Thesaurer prin^ll^ and Depute for the tyme and other under collectors His Majesties Advocat and others whomsoever His Majesties Donators from all furder troubleing and molesting the said George Baillie and his forsaids for the said waird nonentry relief and marriage in all tyme comeing excepting for the taxed duties abovewritten in manner at length specified in the said Chartor which contains ane Precept of Seasine And also His Majestie with advyce and consent of the Estates of Parliament hath Ratified and Approven and be the tenor hereof Ratifies and Approves ane Instrument of Seasine of the said Lands Barony and others abovewritten following upon the said Chartor and Precept of Seaſine in favors of the said George Baillie Which Seasine is subscribed be Patrick Chriſtie notar publict and by four witneſses and is dated the fourteenth day of February I^m vj^c^ nynety six years and is Regiſtrat in the general Regiſter of Seasines keept at Edinburgh by Sir John Foulis upon the twenty nynth day of the said moneth of February I^m vj^c^ and nynety six years in all and sundry heads articles points and clauſes contained in the said Chartor Precept and Instrument of Seasine and Regiſtration therof after the form and tenor of the said Chartor and Instrument of Seasine Lykeas His Majestie with advyce and consent of the Estates of Parliament hath Dispensed and hereby Dispenses with the not Inserting and Ingroſsing of the said Chartor Precept and Instrument of Seasine in this present Ratification And Wills and Ordains that thir presents shall be as valid and sufficient as if the said Chartor Precept and Instrument of Seasine were word be word ingroſsed in thir presents albeit the samine be not so done And furder His Majestie with advyce and consent of the Estates of Parliament Wills Grants and Ordains that the forsaid Chartor Precept and Instrument of Seaſine and this present Ratification therof shall be good valid and sufficient rights and titles to the said George Baillie and his forsaids for bruiking poſseſsing and enjoying the said Lands and Barony of Mellerstains and others abovewritten and in uplifting the maills duties and other profites therof dureing the tyme and space of the said waird nonentry relief and marriage whenever the same falls out in tyme comeing and that upon the payment of the taxed duties abovementioned Lykeas His Majestie with consent of the Estates of Parliament hath Diſpensed and be thir presents Dispenses with any imperfections objections and exceptions that can be proponed againſt the validity of the said Chartor Precept and Instrument of Seasine and of this present Ratification thereof

RATIFICATION in favors of Mr Francis Grant Advocat of the Lands of Cullen & others

OUR SOVERAIGN LORD and Estates of Parliament have Ratified Approven and perpetually Confirmed and by thir presents Ratifie Approve and perpetually Confirm ane Chartor under the Great Seal of this Kingdom of the date at Kensingtoun the thirtieth day of November I^m vj^c^ and nynety seven years made and granted by his Majestie with consent of the Lords and others Commiſsioners of the Thesaury and Exchequer to and in favors of Mr Francis Grant Advocat thereby also designed younger of Ballintomb and Mistres Jean Meldrum his spouſe and the longeſt liver of them two in conjunct fie and lyferent and to the heirs male of the marriage in fie which failzieing to the other heirs and aſsigneys aftermen^t^ heretably and irredeemably under the Conditions and Provisions specified in the said Chartor Of all and haill the Lands of Cullen teynds therof and others aftermentioned which are resigned in manner underwritten And sicklyke to and in favors of the said Mr Francis Grant and his heirs male lawfully procreat or to be procreat of his body which failzieing to his other heirs of tailzie and aſsigneyes mentioned in the said Chartor heretably and under Reverſion and with the Provi- 18

ſions and Declarations therin expreſt of all and haill the Lands of Montbleton and others after ſpecified which are adjudged in manner set down in the samine Chartor which contains ane Confirmation of the Wryts of the said Lands ane Clauſe of Novo Damus Erection of ane haven Dispenſation for takeing Infeftment with ane change of the holding of some of the said Lands and severall other Clauſes Provisions and Conditions therintill and wherof the tenor follows *

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AND also His Majestie and Estates of Parliament forsaid Ratifie Approve and Confirm the Precept of Seaſine aboveinsert contained in the said Chartor and Instrument of Seasine to follow thereupon in all and sundry the haill heads points articles conditions proviſions declarations clauſes of Confirmation Novo Damus Erection Dispensation Change of holding and other clauſes whatsomever specified in the said Chartor after the form & tenor therof in all points And moreover Our Soveraign Lord and Estates of Parliament Will Grant Statute and Ordain that the forsaid Chartor with the Precept of Seaſine therin contained and Instrument of Seaſine to follow thereupon and remanent rights and securities made and granted to the said Mr Francis Grant and his said spouſe and authors and predeceſsors of the Lands and others forsaids are and shall be good valid and sufficient rights and securities to them and their forsaids for bruiking and enjoying the same and uplifting the maills profites and duties therof according to their respective interests thereto abovementioned to be holden reẽive in manner forsaid and with and under the expreſs provisions declarations clauſe of reversion and conditions abovespẽit and no otherwayes without any stop or impediment to be made by His Majestie or his Royall Succeſsors thereagainſt or any clagg or claime to be aſked by them furth of the said Lands except the taxt waird few and blench duties abovewritten Dispenseing with the haill defects faults and imperfections if any be of the said Chartor & other rights and of this present Ratification therof for ever. As also His Majestie and Estates of Parliament Do hereby Statute Ordain and Appoint that the Lands and others before mentioned shall for hereafter be called and deſigned by the name and designation of in all tyme comeing.

* The Charter under the Great Seal is here recited at length in the Record.

RATIFICATION in favors of Mr David Ramsay Writer to the Signet of the Lands & Barony of Inchtuthill

OUR SOVERAIGN LORD and Estates of Parliament presently Conveened by His Majesties speciall authority have Ratified and Approven and by thir presents Ratifies and Approves ane Chartor made & paſt under His Majesties great Seal dated the twenty seventh day of June one thouſand six hundred and nynety eight years in favors of Mr David Ramsay Wryter to the signet his heirs and aſsigneyes whatsomever heretably and irredeemably of all and sundry the Lands and Barony of Inchtuthill comprehending the particular Touns Lands milns woods fiſhings and others respective particularly therein contained all lying within the sherriffdom of Perth proceeding upon the Resignation of the deceiſt Sir Patrick Ogilvie of Inchmartine and William Ogilvie of Muir his son the deceiſt Mr John Sibbald Wryter in Edinburgh and David Earl of Northeſk to be Holden of His Majestie for payment of the taxt waird duties and others payable to his Majestie conform to ane Chartor under the great Seal granted to the deceiſt Earl of Errol And which Chartor contains ane new Gift & de Novo Damus & ane Taxing of the waird and marriage of the Lands of Drumadertie Aird Little Fardill Meikle Fardill Milne of Fardill milnlands and pertinents of the samine which are a part of the said Lands and Barrony of Inchtuthill to be Holden of His Majestie for payment of the taxed duties underwritten viz. the sum of two hundred pounds Scots money yearly dureing the haill tyme of the waird and nonentry of the said waird Lands as much for the relief and of the sum of four hundred pounds money forsaid for the marriage of the heir or heirs when the samine shall happen And by which Chartor it is Provyded and Declared that it shall be leiſum and lawfull to the said Mr David Ramsay and his forsaids to sell annalzie and diſpone the forsaid Lands and Barrony of Inchtuthill or any part or portion thereof or yearly ãrents furth of the same without His Majesties consent in favors of any perſon or perſons he ſhall think fit notwithstanding that the said Lands held waird & now taxt waird and that the ſaid parts of the said Lands or ãrents so to be diſponed do exceed the equall halfe therof without any danger or hazard of Recognition as the samine Chartor containing ane Erection of the haill forsaid Lands and others abovewritten in ane haill & free Barony to be called the Barony of Inchtuthill Ordaining the Mannor plãce of Inchtuthill to be the prinᵗᵗ meſsuage wherat or upon any part of the ground of the Lands ane Seaſine is to be taken for the haill in all tyme comeing at mair length proports Togither with the precept of Seaſine therein 19

contained and Instrument of Seaſine following or to follow therupon, in the haill heads oblidgements articles tenors and contents therof And His Majestie and Estates of Parliament Wills and Grants and for them and their Succeſsors Decerns & Ordains that the forsaid generall Ratification is and shall be as valid sufficient and effectuall to the said Mr David Ramsay and his forsaids as if the said Chartor Precept and Instrument of Seaſine generally above ratified were therein specially and at length insert and ingroſsed whereanent and with all other objections and exceptions that may be moved or alleadged againſt the validity of the said Ratification His Majestie and Estates of Parliament have Dispensed and hereby Diſpenses for ever.

RATIFICATION in favors of Patrick Huntar of Hunterstoun of the Lands of Campbelltoun

OUR SOVERAIGN LORD and Estates of Parliament in consideration of the good and faithfull services done and performed to His Majestie and his Royall progenitors by Patrick Huntar of Huntarstoun and his predeceſsors have Ratified and Approven and by thir presents Ratifie and Approve ane Chartor made and granted under his Majesties Great Seal of the date at Kenſingtoun the twenty seventh day of June one Thousand six hundred and nynety eight years whereby His Majestie as Prince and Stewart of Scotland with advyce and consent of the Lords and others of His Majesties Thesaury and Exchequer His Highneſs Commiſsioners Gave Granted and Disponed to the said Patrick Huntar of Huntarstoun and the heirs male lawfully procreat or to be procreat of his body Whilks failzieing his heirs male whatsomever Whilks all failzieing his own neareſt heirs and aſsigneys whatsomever heretably and irredeemably all and haill the fyve merk Land of old extent of Campbelltoun and all and haill the fourty six shilling eight penny Land of old extent of Annanhill called Annanhill-huntar with all and sundry touers fortalices mannor places houſes biggings yeards orchyeards mylnes multures annexis connexis woods fishings outſetts dependencies tennents tennandries service of free tennents parts pendicles and pertinents therof whatsomever all lying within the Bailliary of Cunningham and Sherriffdom of Air Togither with the privjledge and liberty of fiſhing of salmond and other fishes with boats nets and all other engynes and instruments in the sea within all the bounds of the said Lands of Campbelltoun with the pertinents And also with the priviledge and liberty of cutting gathering transporting and carrieing away of wrack and wair from the sea to any part or parts of the said Lands of Campbelltoun with the pertinents in all time comeing and to diſpoſe thereon for the good of the said Lands Which Chartor proceeds upon the said Patrick Huntar of Huntarstoun his own Resignation And thereby His Matie as Prince and Stewart of Scotland with advyce and consent forsaid has of new Given Granted and Diſponed to the said Patrick Huntar of Huntarstoun and his forsaids heretably and irredeemably All and haill the forsaid Lands fishings and others abovewritten togither with all right title intereſt claim of right property and poſseſsion as well petitor as poſseſsor whilk his Majeſtie or his Royall predeceſsors Princes and Stewarts of Scotland had have or any wayes may have aſk claim or pretend therto or to any part therof in tyme comeing or to the maills ferms profites & duties of the same of whatsomever years and terms bygone or to come by reaſon of waird nonentry relief marriage escheit forfaulture recognition diſclamation purpresture baſtardie laſt heir want of confirmation in due tyme or by whatsomever other right or title or by whatsomever Acts of Parliament other Acts Laws Statutes or Constitutiones of His Majeſties ancient Kingdom of Scotland made or to be made contrare therto or for whatsomever cauſes crymes or occaſions bygone preceeding the date forsaid of the said Chartor And does Renunce Transfer and Overgive the samine with all action and instance theranent from His Majestie and his Highneſs Succeſsors Princes and Stewarts of Scotland to and in favors of the said Patrick Huntar of Huntarſtoun and his forsaids for ever cum pacto de non petendo and with supplement of all other defects nullities and imperfections as well not named as named which are holden as expreſt in the said Chartor which contains a dispensation for taking Seasine upon the ground of any part of the said Lands be deliverance of earth and stone allennarly which is thereby declared sufficient for the haill Lands Salmond fishings & others abovewritten with the pertinents notwithſtanding the samine lye discontigue To be Holden the said Lands Salmond fishings and others abovewritten of His Majestie and his Highneſs Succeſsors Princes and Stewarts of Scotland in fie and heritadge for ever for payment of the rights & services uſed and wont allennarly but with this expreſs proviſion and condition Lykeas it is thereby provyded and declaired and His Majestie as Prince and Stewart of Scotland has thereby Decerned and Ordained that albeit the forsaid Lands fishings and others abovewritten with the pertinents shall fall and become in his Majesties hands or in the hands of His Majesties Succeſsors Princes & Stewarts of Scotland by reason of waird and nonentry or either of them nevertheleſs it shall be leisum and lawfull to the said Patrick Huntar and his heirs succeſsors and aſsigneyes succeeding to him in the right of the said Lands fishings and others abovewritten to peaceably bruick enjoy & poſseſs all and haill the said Lands fiſhings and others abovespecified and to

intromet with uplift aſk crave and receive all and sundry the maills ferms caynes cuſtomes duties and casualities therof dureing the haill space of the said waird and nonentry for payment to his Majestie and His Highneſs Succeſsors Princes and Stewarts of Scotland of thirty pounds Scots money yearly for the waird the lyke sum for the nonentry and as much for the relief and of the sum of threescore pounds money forsaid for the marriage of the heirs when the same shall happen and that in liew and place of the said duties themselves To which sums of money respective abovewritten His Majestie by the said Chartor has taxed the said waird nonentry relief and marriage of the said heirs succeſsors & aſsigneys of the said Patrick Huntar and his forsaids and the haill benefite and casualities therof whenever the same shall happen to fall out and occur And now as if the samen were already fallen out and occurred and then as now His Majestie as Prince and Stewart of Scotland with consent forſd has Aſsigned Transferred & Disponed the haill benefite & casualities of the said waird nonentry relief and marriage in favors of the said Patrick Huntar and his forsaids for payment of the taxt duties respective above expreſt And that becauſe His Majestie is graciouſly pleaſed by the said Chartor to Alter and Change the holding of the said Lands fishings and others abovewritten from simple Waird to taxt Waird as is abovewritten in all tyme comeing as is at more length mentioned in the said Chartor Which lykewayes contains a Diſpensatione for entering serveing infefting and seaseing the airs in the said Lands and others forsaids in speciall to their predeceſsors notwithstanding of their minorities for the tyme Togither with the Precept of Seaſine therein contained and Instrument of Seaſine to follow thereupon with all that shall follow upon the samine in the haill heads articles clauſes tenor effect and contents therof and after the form and tenor of the same in all points And His Majestie and Estates of Parliament Will and Grants and for them and their Succeſsors Decern and Ordain that this present Ratification is and shall be as valid and comprehenſive in itselfe as any other Ratification hitherto paſt in Parliament and shall be as sufficient and effectuall to the said Patrick Huntar and his forsaids as if the said Chartor Precept and Instrument of Seaſine were herein specially word by word insert Whereanent and with other Defects Exceptions or Objections that may be any wayes moved or alleadged againſt the validity of the said Ratification His Majestie and Estates forsaid have Dispensed and by thir preſents Dispense for ever.

WARRANDS for Fairs and weekly Mercats in favors of severall persons, Read, and some alterations being made of the dayes the same were Granted as followeth.

ACT in favors of David Earl of Northeſk for two yearly fairs & a weekly mercat at the toun of Inverkeillor

OUR SOVERAIGN LORD and Estates of Parliament Considering that the appointing of fairs and mercats in convenient places of the Kingdom does greatly tend to the advancement of the trade therof and eaſe of His Majesties Leidges And that the Toun of Inuerkeillor belonging to David Earl of Norſheſk & lying within the sherrifdom of Forfar is fitly situat for haveing the weekly mercat and two yearly fairs underwritten keept thereat Do therfor by thir presents Appoint an mercat to be Holden in all tyme comeing at the said Toun of Inuerkeillor upon Thurſday weekly and two free fairs to be holden yearly in all tyme comeing therat The one therof upon the second Tuesday of May and the other upon the first Tueſday of Auguſt for buying and selling all kinds of vendible commodities And have Given and Granted and hereby Give and Grant to the said Earle of Northeſk his heirs and succeſsors for ever the right and priviledge of keeping and holding the said weekly mercat and two yearly fairs and the haill profites tolls cuſtomes and caſualities therof and competent to pertain thereto With power to him and them by themſelves & others in their name to cauſe proclaim and ryde the said fairs yearly and to make such orders theranent as they shall think fit and to exact uplift and diſpoſe upon the said profites tolls cuſtomes and casualities abovementioned and to do all other things theranent competent to be done in the lyke caſes by any haveing the priviledge of keeping fairs & mercats within this Kingdom. 21

ACT in favors of the Burgh of Kinghorn for two yearly fairs

OUR SOVERAIGN LORD and Estates of Parliament Considering that the appointing of fairs & mercats in convenient places of the Kingdom does greatly tend to the advancement of the trade therof and advantage of His Majesties Leidges dwelling at or near to the said places and that it is moſt convenient for the good of the Royall Burgh of Kinghorne and for the other ends abovewrin to appoint the two yearly fairs underwritten to be keept therat Doe therfor by thir presents Appoint two fairs to be holden yearly in all time comeing at the said Burgh The one therof upon the tenth day of July and the other upon 22

the sixteenth day of October for buying and selling all kinds of vendible commodities And have Given and Granted and hereby Give and Grant to the said Burgh and Magiſtrats and Communty therof the right and priviledge of keeping and holding the said two fairs therat yearly in all tyme to come And the haill tolls cuſtomes profites & casualities therof or competent to pertain therto With full power to them to cauſe proclaim and ryde the said fairs yearly and to make such orders theranent as they think fit and to exact uplift and diſpoſe upon the said tolls cuſtomes profites and casualities of the same and to do all other things theranent which any haveing priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of James Ogilvie of Cluny for two yearly fairs & a weekly mercat at the toun of Cluny

23 OUR SOVERAIGN LORD and Estates of Parliament Considering that the appointing of fairs and weekly mercats in convenient places of the Kingdom does greatly tend to the advancement of the trade therof and to the eaſe and advantage of His Majesties Leidges dwelling at & near to the said places And that it is fit for theſe ends to appoint the weekly mercat and two fairs underwritten to be keept at the Toun of Cluney belonging to James Ogilvie of Cluney and lying in the shyre of Perth as a place very convenient for that purpoſe Do therfor by thir presents Appoint an mercat to be holden at the said Toun on Fryday weekly in all time comeing And two fairs to be alſo holden thereat yearly in time to come the one therof upon the firſt Tueſday of March and the other upon the first Tueſday of June each of the said fairs to continue for the space of two dayes for buying and selling all kinds of vendible commodities And have Given and Granted and hereby Give and Grant to the said James Ogilvie his airs and succeſsors for ever the right and priviledge of keeping and holding the said weekly mercat and yearly fairs and the haill tolls cuſtomes profites and caſualities therof or competent to pertain thereto with full power to him and them to exact uplift and diſpoſe upon the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to do all other things concerning the said fairs & mercat which any haveing the priviledge therof within the Kingdom lawfully do or may do.

ACT in favors of Mr Robert Forbes Advocat for a yearly fair at the Toun of Torphins

OUR SOVERAIGN LORD and Estates of 24
Parliament considering that fairs and mercats in convenient places of the Kingdom does greatly tend to the advancement of the Trade therof and to the eaſe and advantage of His Majesties Leidges dwelling at and near to the said places And that it is fit for theſe ends to appoint the yearly fair underwritten to be keept at the Toun of Torphins belonging to Mr Robert Forbes Advocat and lying in the parochine of Kincardine Oneill and Sherriffdom of Aberdeen as a place very convenient for that purpoſe Do therefor Appoint and Ordain a fair to be holden yearly in time comeing at the said Toun upon the third Teuſday of Apryle for buying and selling all kinds of vendible Commodities And also His Majestie and the said Estates being informed by the said Mr Robert Forbes that it is moſt convenient for the ends above expreſt That the fair formerly holden at the said Toun upon the third Teuſday of May yearly be changed in manner under written Have therfor at the said Mr Robert Forbes his desire Changed & Altered and hereby Change and Alter the forsaid fair from the third Tuesday of May to the Tuesday preceeding the Feaſt of Whitsunday And by thir presents Appoint the samine to be keeped upon the forſaid day at the place above mentioned yearly in all tyme comeing And have Given and Granted and hereby Give and Grant to the said Mr Robert Forbes his airs and Succeſsors the right and priviledge of keeping and holding the said Two fairs yearly and the haill tolls cuſtomes and casualities therof or competent to pertain thereto With full power to him and them to exact uplift and diſpose upon the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to do all other things anent the same which any haveing the priviledge of fairs within the Kingdom lawfully do or may do.

ACT in favors of Mr Archbald Douglaſs of Cavers for a weekly mercat at the Toun of Denholm

OUR SOVERAIGN LORD and Estates of 25
Parliament considering that fairs and mercats in convenient places of the Kingdom do greatly tend to advance the Trade therof and to the eaſe and advantage of his Majesties Leidges dwelling at and near to the samen places And that the Toun of Denholme pertaining to Mr Archbald Douglaſs of Cavers within the shyre of Tiviotdale is a convenient place for haveing the weekly mercat after

mentioned keept therat Do therfor by thir presents Appoint a mercat to be holden and keeped at the said Toun upon Wednesday weekly in all tyme comeing for buying and selling all kinds of vendible Commodities And have Given and Granted and by thir presents Give and Grant to the said Mr Archbald Douglas and his heirs and succeſsors the right and priviledge of keeping and holding the said mercat and the haill tolls cuſtomes profites and caſualities therof or competent to pertain therto with full power to him and them to exact uplift and diſpoſe upon the same and to do all other things anent the said mercat which any haveing the lyke priviledge within the Kingdom lawfully do or may do.

ACT in favors of James Hay of Reanes for two yearly fairs on the Muir of Rannachies

26 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places of the Kingdom do greatly tend to advance the Trade therof and to the eaſe and advantage of His Majesties Leidges dwelling at and near to the samine places and that it is very fit for these ends that there be two fairs yearly upon the dayes under written keept on the Muir of Rannachies belonging to James Hay of Reanes lying within the Sheriffdom of Bamf and that there be alſo an weekly mercat within the Kirktoun of Rophven belonging to him in the said shyre Do therefor by thir presents Appoint two fairs to be holden yearly in all tyme comeing on the said Muir of Rannachies The one therof upon the laſt Tuesday of Auguſt and the other upon the laſt Tuesday of November and an mercat to be keept and holden within the said Kirktoun of Rophven upon Wedneſday weekly for buying and selling all kinds of vendible Commodities And have Given & Granted and hereby Give and Grant to the said James Hay his heirs and Succeſsors the right and priviledge of keeping and holding the said two fairs and weekly mercat upon the places and dayes above mentioned in all tyme comeing And the haill tolls cuſtomes profites and caſualities therof or competent to pertain thereto with power to him and them to exact uplift and diſpoſe on the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to do every other thing concerning the said fairs and mercat which any haveing the lyke priviledge within this Kingdom lawfully do or may do.

ACT in favors of the Burgh of Dundee for a yearly fair

27 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places does greatly tend to the advantage and eaſe of His Majesties Leidges inhabiting the same and dwelling near therto and also to the advanceing the Trade of the Nation And that it is very fit for theſe ends and for the good of the Royall Burgh of Dundie that there be a fair therat yearly upon the day under written Do therefor by thir presents Appoint an fair to be keept and holden yearly in all tyme comeing at the said Burgh upon the first Teuſday of June for buying and selling all kinds of vendible Commodities and have Given and Granted and by thir preſents Give & Grant to the Magiſtrats of the said Burgh and their Succeſsors in office for the uſe and advantage of the same the right and priviledge of keeping and holding the said fair yearly in time to come and the haill tolls cuſtomes profites and casualities therof or competent to pertain thereto With full power to them to exact uplift & diſpoſe upon them for the uſe of the said Burgh and to cauſe proclaim and ryde the said fair and do all other things theranent which any haveing the lyke priviledge in the Kingdom lawfully do or may do.

ACT in favors of Thomas Forbes of Watertoun for two yearly fairs at the Kirktoun of Ellon

28 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places does greatly tend to the good and advantage of the Inhabitants therof and of his Majesties other Leidges dwelling near therto And lykewayes to the advancement of the Trade of the Nation and that it is very fit for theſe ends that there be two fairs yearly upon the dayes following at the Kirktoun of Ellon belonging to Thomas Forbes of Watertoun within the shyre of Aberdeen as a place convenient for that purpoſe Do therefor by thir presents Appoint Two fairs to be keept and holden yearly at the said Kirktoun of Ellon one therof upon the second Tueſday of February and the other upon the fourth Tueſday of March in all time comeing for buying and selling all kinds of vendible Commodities And have Given and Granted and hereby Give and Grant to the said Thomas Forbes and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs and the haill tolls cuſtomes profites and casualities therof and competent to pertain therto With full power to him and them to exact uplift and diſpoſe upon the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to do all other things concerning the same which any haveing the lyke priviledge within the Kingdom lawfully do or may do.

ACT in favors of the Burgh of Dingwall for a yearly fair

29 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places are much for the advantage of the Inhabitants therof and for the good and eaſe of the Leidges dwelling near therto and lykewayes do greatly tend to encreaſe the Trade of the Nation and that it is fit that for theſe ends there be a fair yearly upon the day underwritten at the Royall Burgh of Dingwall Do therefor Appoint a fair to be keept at the said Burgh upon the firſt Tueſday of February yearly in all time comeing for buying and selling all kinds of vendible Commodities and by thir presents Give and Grant to the Magistrats of the said burgh and their succeſsors in office for the uſe and advantadge therof the right and priviledge of keeping and holding the said fair yearly in tyme to come and the haill tolls cuſtoms profites and caſualities therof or competent to pertain therto with full power to them to exact uplift and diſpoſe on the ſame for the uſe of the said Burgh and to cauſe proclaim and ryde the said fair yearly and to do all other things thereanent which any haveing the lyke priviledge in the Kingdom lawfully do or may do.

ACT in favors of the Burgh of Inverneſs for a yearly fair

30 OUR SOVERAIGN LORD and Estates of Parliament Considering that the appointing the fair underwritten at the Royall Burgh of Inverneſs will be highly advantageous therto and to encreaſe the trade therof and lykewayes expedient for the good and eaſe of His Majesties other Leidges dwelling near & resorting to the same Do therefor Appoint a fair to be keept at the said Burgh upon the second Tueſday of February yearly in all time comeing for buying and selling all kinds of vendible Commodities and by thir presents Give and Grant to the Magistrats of the said Burgh and their succeſsors in office for the uſe and advantadge of the Community therof the right and priviledge of keeping and holding the said fair yearly in time to come and the haill tolls cuſtomes profites and casualities therof or competent to pertain therto with full power to them to exact uplift and diſpoſe upon the same for the uſe of the said Burgh and to cauſe proclaim and ryde the said fair yearly and do all other things thereanent which any haveing the like priviledge in the Kingdom lawfully do or may do.

ACT in favors of George Duke of Gordon for two yearly fairs on the muir of Rynnie

OUR SOVERAIGN LORD and the Estates of 31
Parliament Considering that fairs and mercats in convenient places are greatly advantageous & for the good & eaſe of His Maties Leidges dwelling at and near to the same and likewayes do tend to increaſe the trade of the Nation and that the Muir of Rynnie belonging to George Duke of Gordon in the shyre of Aberdeen is a fit place for keeping therat the fairs underwritten for the ends abovementioned Do therefor Appoint two fairs to be holden yearly in all tyme comeing upon the said muir of Rynnie one therof upon the second Tueſday of June and the other upon the second Tuesday of Auguſt for buying and selling all kinds of vendible Commodities And have Given and Granted and by thir preſents Give and Grant to the said Duke of Gordon his heirs and succeſsors for ever the right and priviledge of keeping and holding the said two fairs and the haill tolls cuſtomes profites and casualities therof or competent to pertain therto with full power to him and them to exact uplift and diſpoſe upon the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think fit and to do all other things concerning the same which any haveing the priviledge of fairs within this Kingdome lawfully does or may do.

[Commiſsioners of Supply] LISTS of additionall Commiſsioners for the severall Shyres of the Kingdome for inbringing the Supply read And after some additions the Liſts again read and agreed to as recorded with the Act of Supply 30 July 1698.

PATENT in favors of James Lord Forreſter and his heirs being preſented by William now Lord Forreſter and craved to be Recorded was Read and accordingly ordered to be Recorded and therof the tenor follows.

Patent in favors of the Lord Forrester CAROLUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fidei defenſor Omnibus probis Hominibus suis ad quos presentes Literæ pervenerint Salutem Sciatis Nos sufficienter Intelligentes quod quondam noster Chariſsimus pater dignæ et eternæ memoriæ per suas Literas patentes datas sub magno suo sigillo apud Halyrudehouſe vigesimo secundo die mensis Junii anno Domini Millesimo Sexcentesimo Trigesimo tertio pro bono et fideli servitio præfato noſtro Chariſsimo Patri ejuſq prædeceſsoribus a fideli suo Consanguineo Georgio Domino Forrestar de Corſtorphine ejuſq prædeceſsoribus præstito; præsertim a

quondam Domino Joanne Forrestar milite Magno Scotiæ pro tempore Camerario quondam noſtro nobiliſsimo progenitori Jacobo Primo Scotorum Regi præclaræ memoriæ nunquam obliviſcendæ Et quod dictus Dominus Georgius Forreſtar diu sedulo et fideliter functus eſt officio vicecomitis infra vicecomitatum noſtrum de Ed' diverſis annis elapſis Idcirco præfatus noſter præclariſsimus pater propter has et alias cauſas illum moveñ ex matura deliberatione Fecit Creavit Constituit et Ordinavit dictum Dominum Georgium Forreſter tunc de Corstorphine militem Baronetum Dominum omni tempore futuro Indigitandum et Nominandum Georgium Dominum Forrester de Corstorphine ac Dedit et Conceſsit illi ejuſq, heredibus titulum honorem ordinem gradum et dignitatem Domini cum omnibus privilegiis præcedentiis libertatibus et immunitatibus eidem pertineñ et spectañ teneñ poſsideñ uteñ et habeñ dictum titulum a dicto Georgio Domino Forrestar similiter in omnibus respectibus sicuti ullus alius Dominus infra Regnum noſtrum Scotiæ gaudet et fruitur vel gaudere et frui poterit Mandañ Leoni Regi Armorum suiſq, fratribus fæcialibus ut Darent et Præscriberent talia armorum additamenta prioribus insigniis præfati Domini Georgii Forrester tali honori et dignitati congrueñ prout in dictis Literis præfati quondam noſtri charíſsimi patris latius continetur Et Nos nunc Considerantes dictum Georgium Dominum Forrester per Contractum matrimonialem initum et confectum inter ipſum onus in se ſuscipieñ pro Magiſtra Jeanna Forrester ejus filia ex parte una et Jacobum Baillie nunc suum sponsum generum dicti Georgii Domini Forrester Reſignaſse prædicť titulum honorem et dignitatem nominis atq, domini de Forrester in favorem dicti Jacobi Baillie et heredum de dicto matrimonio procreand inter illum et præfatam Magiſtram Jeannam Forrester quibus deficieñ heredum in dicto Contractu matrimoniali expreſsorum Reservato dicto Domino Georgio Forrester suo vitali Redditu ejuſdem pro toto suæ vitæ tempore Igitur Fecimus Creavimus Constituimus et Ordinavimus dictum Jacobum Baillie suoſq, prædictos durante vita dicti Georgii domini Forrester Magistrum de Forrester Dañ et Concedeñ illi ejuſq, heredibus prædictis locum præcedentiam et dignitatem Magiſtri de Forrester utq, omni tempore sic appelletur et indigitetur Et poſt deceſsum dicti Georgii Domini Forrester Fecimus Creavimus Constituimus et Ordinavimus dictum Jacobum Magiſtrum de Forrester Dominum omni tempore futuro ut appelletur et indigitetur Jacobus Dominus Forrester Dañ et Concedeñ illi ejuſq, heredibus prædictis præfatum titulum honorem ordinem gradum et dignitatem Domini cum omnibus privilegiis precedentiis libertatibus et immunitatibus eidem spectañ et pertineñ Teneñ Habeñ Gaudeñ Uteñ et Poſsideñ præfatum titulum prædicto Jacobo Domino Forrester similiter adeoq, late in omnibus respectibus sicuti dictus Georgius Dominus Forrester aut quivis alius Dominus infrà dictum Regnum nostrum Scotiæ gaudet et poſsidet aut gaudere et frui poterit Mandañ Leoni Regi Armorum suiſq, fratribus fæcialibus ut dividant insignia dicti Jacobi nunc Magiſtri de Forrester cum insigniis dicti Georgii Domini Forrester ejus honori et dignitati congrueñ gaudeñ et poſsideñ ab illo ejuſq, heredibus sibi in dicto honore succeſsuris omni tempore futuro In cujus rei Testimonium præsentibus magnum Sigillum noſtrum apponi præcepimus Apud aulam noſtram de Dumfermling decimo tertio die mensis Auguſti anno Domini Millesimo Sexcentesimo Quinquagesimo et anno Regni nostri secundo Per Signaturam manu S D N Regis suprascriptam Written to the Great Seal Quinto Julii 1651 Sic subscribitur Scotſtarbett Sealed the fyfth day of July Sic subscribitur Ro: Halden.

[Acts approven]

ACT for an additionall allowance to the Lords of Seſsion, Act for the Encouragement of White fish and Herring fiſhing Act Regulating the Trade betwixt Burghs Royall and Burghs of Regality Barony and others and Act and Commiſsion for settleing the Communication of trade read a second time And after some debate and amendments all of them again Read Voted and Approven.

Recommendation in favors of Mr James Colvill Principal of the College of Edinburgh

ANENT the Petition of Mr James Colvill Advocat presented to His Majesties High Commiſsioner and Right Honourable the Estates of Parliament humbly Shewing that where Mr William Colvill Principall of the College of Edinburgh the Petitioners grandfather haveing upon the twenty fyfth day of June Imo vjc sixty one years obtained an Act of Parliament in his favors allowing him the sum of Two hundred pound Sterling to be payed out of the first and readieſt of the vacant stipends And ordaining the deceiſt Mr John Wilkie then Collector of the same to make payment to him of the said sum and that in conſideration of the great sufferings and loſses sustained by him through his not complying with the usurper haveing been laid aſyde from his Miniſtery for many years and forced to leave the Kingdome as is more fully narrated in the said Act This Grant and allowance of the Parliament has never to this hour taken any effect by reason that the fond out of which the said sum was payable was more then exhauſted by precepts drawen upon the said Collector by the Parliament and Privy Councill in favors of severall persons which the Collector instructed by Diſcharges in so much that he was superexpended in near fyfteen thousand pound Scots Whereupon in September Imo vjc and sixty three years he obtained an Decreet of Exoneration as an Extract therof produced with the said Petition bears And seing the Petitioners grandfathers

loſses and sufferings were so very conſiderable that the Petitioner still finds the effects of the same and the reparation appointed by the Parliament has proven altogether uneffectuall He therefor humbly Craved His Grace and the Right Honourable Estates of Parliament to take the Premiſses to their consideration and to allow the Petitioner the sum of Two hundred pound Sterling to be payed out of the vacant stipends or any other fond His Grace and the Estates of Parliament should think fit as the said Petition bears Which being upon the nynteenth of this instant moneth Read in presence of His Majesties High Commiſsioner and the said Estates they Remitted to the Committie for Security of the Kingdom to consider the same with the instructions and to report their opinion theranent to the Parliament And the said Committie haveing considered the said Petition with the forsaid Remit they upon the twenty fourth instant gave in their Report to the Parliament Bearing that they were of opinion that His Majesties High Commiſsioner and the Estates of Parliament should Recommend to the Lords of Thesaury to aſsigne the Petitioner to such and so many of the vacant Stipends of the Kirks wherof the King is patron as would effectually pay him of the above Two hundred pound Sterling as the said Report bears Which being this day Read in presence of and at length considered by His Majesties High Commiſsioner and the Estates of Parliament they have Recommended and hereby Recommend to the Lords Commiſsioners of His Majesties Thesaury to aſsigne the Petitioner to such and so many of the vacant stipends of Kirks wherof His Majestie is Patron as will effectually pay him the above Two hundred pounds Sterling wherever the same are or may happen to be vacant within this Kingdom.

Act in favors of the Masters of the Mariſchalls Colledge of Aberdeen

ANENT the Petition of the Principall and Masters of the Mariſchalls Colledge of Aberdeen Presented to and Read in presence of His Grace His Majesties High Commiſsioner and the Right Honourable the Estates of Parliament humbly Shewing that where the Petitioners haveing repreſented to this Parliament that they in consideration that their Colledge was exceedingly decayed had adventured to erect and joyn a new building thereto without any other fond but the charitable aſsiſtance of Noblemen Gentlemen and others both at home and abroad And the Contribution being expended and the work uncompleat it pleaſed His Majesties High Commiſsioner and honourable Estates of Parliament to allow the Petitioners the vacant stipends of such Churches wherof the Earl Mariſchall and Earl of Kintoir were patrons but the Act was restricted only to endure till this Seſsion of Parliament And seing few of theſe Churches have vaiked and the Stipend of theſe that were vacant being near exhauſted by the twenty merks payed to such as preach at the severall pariſh Churches the new building lyes still uncompleat and it will take a considerable sum to finiſh the said work And the Royall Burrows in consideration therof were pleaſed at their laſt generall Convention at Aberdeen to bestow upon the Petitioners a generous aſsiſtance And it being his Majestie and Royall predeceſsors their constant care to provyde for Universities and Colledges and to allow them supplies for repairing and upholding their fabricks the Petitioners have presumed to make this new addreſs to His Grace and the Honourable Estates of Parliament humbly Craveing that not only the former Act allowing the Petitioners the vacant Stipends of the Churches of Foveran Newdeir Saint Brydes alias Dunnottar Fetterreſso Oldeir Auchredie Langside Peterhead Saint Fergus King Edward and any other wherof the Earl Mariſchall and Earl of Kintoir are undoubted patrons may be allowed and continued for such a competent time as His Grace and Estates of Parliament should think fit But alſo in consideration of the neceſsity that the old fabrick lyes under to be repaired and the new work to be compleated His Grace and Honourable Estates of Parliament would be pleaſed to allow the Petitioners some parts of the Biſhops rents or some other more certain and sure fond then the casuall vacant Stipends for the uſe and ends aforsaid And the rather becauſe the Honourable Members of the laſt viſitation of Colledges in consideration of the premiſses by their act in Auguſt I^m^ vj^c^ nynety six Recommended the Petitioners to the Lords of Thesaury that they might bestow upon them any fond that might be moſt effectuall for the uſes forsaid as the said Petition bears Which His Majesties High Commiſsioner and the said Estates of Parliament haveing this day heard and considered they have Renued and hereby Renew the former Grant of the vacant Stipends of the Churches abovementioned and others wherof the Earl Mariſhall and Earl of Kintoir are patrons and have Ordained and hereby Ordain the same to be payed to the Petitioners to the effect above represented with the burden allwayes of the twenty merks payable to the Miniſters in the terms of the former Act and thir presents to continue till the nixt Seſsion of Parliament.

REPORT upon the Petition presented by the Lord Belhaven and others Read, and the Consideration therof delayed till the nixt Sederunt of Parliament.

THE Lord President by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock before noon.

SEPTEMBER I, M,DC,XCVIII.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt Read.

LIST of Additionall Commiſsioners of Supply for the shyre of Dumfreis, Read and Agreed to.

A WARRAND for a fair at Mauchline in favors of the Earl of Loudoun Read and Granted, as follows.

ACT in favors of the Earl of Loudoun for a yearly fair at the Toun of Mauchline

32 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places are greatly advantageous to the Inhabitants therof and tend much to the eaſe and profite of the Leidges dwelling near therto and alſo to encreaſe the trade of the Nation And that it is fit there be for theſe ends a fair yearly at the Toun of Mauchline belonging to Earl of Loudoun lying within the shyre of Air as a place very convenient for that purpoſe Do therefor Appoint a fair to be yearly in all time comeing at the said Toun upon the laſt Wedneſday and Thursday of January for buying and selling all kinds of vendible Commodities And by thir presents Give and Grant to the said Earl and his heirs and succeſsors the right and priviledge of keeping and holding the said fair yearly beginning in January nixt and so furth yearly in time comeing And the haill tolls cuſtomes profites and casualities therof or competent to pertain thereto With full power to him and them to exact uplift and diſpoſe upon the same and to cauſe proclaim and ryde the said fairs and make such orders theranent as they think good and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdome lawfully do or may do.

[Report on Lord Belhavens Petition read & approven]

REPORT upon the Petition presented by the Lord Belhaven and others again Read And after some debate it was moved that before consideration therof the Parliament should paſs a reſolve that what should be abated to the Lord Belhaven and his conjunct and subtacksmen the Parliament would be carefull to have made up to his Majestie for payment of the arrears when stated and the vote being put Approve of the reſolve or not it Carried in the affirmative, Then a report of the Lords of Thesaury and Exchequer anent the said affair Read and after furder debate it was by vote determined in answer to the Lord Belhavens Petition in manner underwritten

Act in favors of John Lord Belhaven and others Tackſmen of the Excyſe

ANENT the Petition presented to His Grace His Majesties high Commiſsioner and the Right Honourable the Estates of Parliament by John Lord Belhaven and David Boyle of Kelburne for themselves and their partners of the tack of fyve pennies per pint of the annexed and additionall Excyſe from the firſt of September I^{m} vj^{c} and nynety fyve to the firſt of March I^{m} vj^{c} and nynety seven years humbly Shewing That where the Petitioners underſtanding that the sums reſting by them unpayed of their tack duty has been mentioned amongst other arrears propoſed as fonds towards the satiſfaction of the diſbanded officers they muſt with all submiſsion lay befor His Grace and this honourable Court of Parliament the state of their said Tack duty what payments they have made and what sums are yet resting and what unanswerable reasons there are why they ought to have allowance and abatement of the same and be exonered of their forsaid tack. In Auguſt I^{m} vj^{c} nynety fyve when the ensueing harveſt had no good appearance yet the Petitioners being willing to adventure for the publiet advantage as well as their own private profite upon a tack of theſe new fonds viz. the annexed Excyſe turned from two merks per boll into three pennies per pint and two pennies of additionall Excyſe added to it They were the higheſt offerers at the roup and obtained the tack for Eighteen months for the tack duty of no leſs then Eighty thouſand eight hundred pounds Sterling And tho the sad miſgiveing of the cropt that year did quickly bring on a scarcity nixt to a famine by reaſon wherof and of the said high Exciſe almoſt the half of the whole brewers of Scotland did caſt up yet the Petitioners have made their payments and continued to do ſo untill the third quarter At which time the calamity of the country became so great & viſible that the Lords of Thesaury being convinced of the hardſhips the Petitioners were under and of the loſs they suffered gave them a Supercedere as to their full payments and withall did represent their caſe to His Majestie for his Royall favor and juſtice And the cropt I^{m} vj^{c} and nynety six proveing no better then the cropt I^{m} vj^{c} and nynety fyve the scarcity grew to that extremity that his Majestie moved with the Petitioners diſtreſs did by His Letter to the Lords of Thesaury and Exchequer dated the eighteenth of December I^{m} vj^{c} and nynety six years allow their Lordships to Examine what juſt grounds they had for deſireing any abatement of their tack duty after Candlemaſs I^{m} vj^{c} and nynety six But at the same time declaring that for the first two quarters they ought to have no abatement And on both theſe points ordaining His Majesties Advocat and Solicitor to be heard againſt the Petitioners and that then their Lordships should acquaint his Majestie with their opinion After this Letter the Petitioners gave in their grounds of abatement and His Ma-

jesties Advocat and Solicitor being fully heard the Lords of Thesaury and Exchequer returned their opinion as follows That setting aside the first two quarters for which His Majestie Declared the Petitioners ought to have no abatement in regaird the scarcity was not sensible before the term of Candlemas I^{m} vj^{c} and nynety six They found that the scarcity and dearth began to be sensible in the first of the four subsequent quarters And that from and after that time it increased for the succeeding quarters of the tack whereby the brewing throughout the Kingdom was accordingly lessened and remained still in no better condition as an Extract of their opinion dated the tenth day of February I^{m} vj^{c} and nynety seven years produced with the said Petition did testifie Whereupon the Petitioners were necessitate and heavily quartered upon untill they paid up the forsaid first two quarters And then His Majestie haveing considered a representation that they at that time offered of their afflicted case with the forsaid Report thought fit nevertheless and becaus the forsaid opinion did not particularly condescend upon any sum or upon particular grounds of abatement to delay to give his finall determination And did Recommend to the Lords Commissioners of Thesaury and Exchequer to take the matter again with all diligence under their consideration and after due search and inquirie to return their opinion concerning what abatement ought to be given togither with the particular grounds on which they had proceeded And lykewayes how and in what manner the same ought to be proportioned and applyed in respect of the very different circumstances of the severall shyres to the effect that His Majestie after due information might determine according to justice as his Majesties Letter of the sixteenth of March I^{m} vj^{c} and nynety seven more fully bears Upon recept of this Letter it pleased the Lords of Thesaury and Exchequer to ishue out their orders to all the Shyres and Burghs of the Kingdom enjoyning the most strict and exact search and inquirie to be made both of the state and condition of the brewing and also the scarcity and pryce of the bear for the said four quarters contained in the former report that ever was made upon the like occasion in this Kingdom Which orders being dispatched every where with equall diligence particular reports were brought in from all the Shyres and Burghs of the Kingdom excepting only Roxburgh shyre Peebles and Bute and these reports being committed for examination to a Committie of Exchequer appointed for that effect they particularly considered the same and took abbreviats therof and signed the list of the said abbreviats and then after much time in the said matter and upon a review of the whole they drew up their generall report dated the fyfth of January I^{m} vj^{c} nynety eight Bearing that the Committie haveing considered the reports whereof they had set down the abbreviats as also the reports formerly brought from the north for the shyres contained in George M^{c}kenzies subtack and generally the whole reports brought in from the whole other shyres of the Kingdom it was their opinion That as to the northern shyres contained in George M^{c}kenzies subtack the brewing of the last four quarters of the Lord Belhavens tack viz. from the first of March I^{m} vj^{c} and nynety six to the first of March I^{m} vj^{c} and nynety seven decresced a halfe and that as to the other shyres and burghs of the Kingdom it decresced the four quarters forsaid a third of the ordinary brewing except the Shyre of the Merse where there was no decrese becaus of the camps being there the said summer I^{m} vj^{c} and nynety six And as to Roxburgh shyre Peebles and Bute for which there was no report the Committie referred to the Lords of Thesaury and Exchequer to modifie and determine the rates of their decrese as they should see cause And this Report with the abbreviats and whole grounds therof being brought in before the Lords of the Thesaury and Exchequer they upon the seventh of January I^{m} vj^{c} and nynety eight approved therof with this addition That the forsaid Shyres and Burghs from which the Returns were then not duely made (for afterwards the Returns did come in) the Lords Declared they were reckoned to be in the same condition with these Shyres and Burghs whose brewing had decresced a third as their act therupon of the date forsaid bears And thus this most exact tryall and enquirie being concluded the Lords of Thesaury and Exchequer gave their opinion to be returned to his Majestie in these termes viz. That the said Lords of Thesaury and Exchequer upon the grounds abovementioned and the notoriety of the scarcity and calamitie of that tyme were of the opinion that upon the accompt of the said four quarters and decrese therin respective abovementioned the Petitioners should have given down to them of their tack duty and allowed to them in the accompt therof the retention of the sum of seventeen thousand eight hundred and thirty three pound sterling which His Majestie was pleased to superceed by his former Letter to the said Commissioners of the Thesaury and Exchequer Recommending the forsaid matter to them for tryall in order to this Report Which sum to be given down as said is they with submission conceived it to be distribute & proportioned to the subtacksmen and Burghs in the Country concerned either as His Majestie should think fit to determine or as should be determined by the Lords of Thesaury by his Majesties appointment as the said Report and Opinion dated the fourth day of February I^{m} vj^{c} and nynety eight years more fully bears Which Opinion being laid before His Majestie and no determination therof given the Petitioners with all humility conceived that a matter thus prepared might now most fitly

be determined by his Majestie in this High and Honourable Court of Parliament for seeing it hath been mentioned as a reſting fond wheras in effect there is nothing due but the Petitioners still loſers over and above the forsaid abaitment and likewiſe over and above the allowance they obtained of their legall Deductions in all the vaſt Charges and Expenſes that they have been at in this matter it cannot but be judged reasonable that a buſineſs of this moment and importance to the Petitioners should at length receive a final determination And therfor they humbly Craved His Grace and the High and Honourable Court of Parliament to consider the premiſses and how this matter of the Petitioners neceſsarie abatement is so fully and clearly prepared that there cannot remain the leaſt scruple anent it And therefor not only to Approve the forſd Report of the Lords Commiſsioners of Thesaury and Exchequer Finding the forsaid abatement ought to be granted and allowed But alſo in so clear a buſineſs to make one work of all in stateing according to the forſaid report of the decreſce of the halfe within the bounds of George Mackenzies subtack which contain the fourth part of the Kingdom eight thouſand pound Sterling for his share of the said abatement of seventeen thouſand eight hundred thirty three pound Sterling And then to take to their consideration the remaining subtacksmen and other parts of the Kingdome to whom the Petitioners have allwayes been moſt equall and to proportion upon them and the other Burghs and parts of the Kingdome the remaining nyne thouſand eight hundred thirty three pounds Sterling which as the Petitioners humbly judge being duely proportioned among the remaining four quarters tack duty after deduction of George M'kenzies subtack duty which amounts to Fourty Thousand & Nine Hundred pound Sterling will come to twenty four per Cent. to each Hundred pound of the subtacksmens years tack duty and they to communicat the same proportionally to their subtacksmen which with submiſsion appeared to be the moſt equall and expeditious way whereby this whole buſineſs that hath now so long depended may be ultimately decyded as the said Petition bears Which His Majesties High Commiſsioner and the Estates of Parliament haveing heard read in their presence upon the nyneteenth day of Auguſt laſt They did Remit the consideration therof to the Committie for Security of the Kingdom and to report their opinion theranent to the Parliament Conform to which Remit the said Committie for Security of the Kingdom haveing considered the Report from the Thesaury and the Opinion from the Exchequer thereanent with the instructions wherupon they proceeded it was the opinion of the Committie that the same should be transmitted to be considered in plain Parliament in relation to the above Petition as their Report brought in therupon dated the twenty nynth day of the said moneth of August laſt bears Which with the Instructions therof produced being this day Read in presence of and considered by His Majesties High Commiſsioner & the said Estates of Parliament They Fand and by thir preſents Finds that of what is payed by the Lord Belhaven and his partners to his Majestie nothing is to be given back as alſo that what shall be found uplifted from the Countrey more then what is already payed in either in money or bonds shall be payed in to his Majestie and that the tackſmen be lyable for the ſamine whether it hath been uplifted by them their subtackſmen or their Collectors And have Declared and hereby Declare that they are to be no farder lyable And that what ſhall be in this manner abaited ſhall be proportioned among the subtackſmen at sight of the Lords of His Majesties Thesaury and Exchequer.

Recommendation in favors of severall Advocats who offered to qualifie themselves.

ANENT the Report brought in from the Committie for Security of the Kingdome dated the thirtieth day of August laſt Bearing that they haveing considered the Petitions of Jamés Stewart Mrs James Daes Alexander Wedderburn William Monnipenny William Beaton George Dickſone Mark Ker and Sir [Andrew] Bruce of Earleshall Advocats craveing that they might be allowed to Qualifie themselves to the effect they might be reſtored to the exerciſe of their employments It was the opinion of the Committie that the Eſtates of Parliament should humbly Recommend the Supplicants to His Majestie that His Majeſtie if he shall think fit may impower the Lords of Seſsion to admitt them to qualifie themſelves in the terms of Law to the effect they may have the liberty to act in their employments as Advocats as the said report bears Which the Estates of Parliament haveing heard and considered this day they have Approven and hereby Approve the same And háve Recommended and hereby Recommend the Petitioners above and therein mentioned to His Majestie in manner and to the effect expreſt in the said report.

[Acts approven]

THE following Acts viz. Act Ratifieing an Act and Proclamation of Councill anent perſons going to and comeing from France Act for preſerveing the Game and Act for preſerveing of Planting read for a second time and after some debate and amendments all again read voted and approven.

Remit to the Privy Council in favors of John Sharp of Hoddom

Act in favors of the Brewers in and about Edinburgh

ANENT the Representation and Petition of the Brewers in and about Edinburgh humbly Shewing unto his Grace His Majesties High Commissioner and the right honourable the Estates of Parliament that in the moneth of July I^m vj^c^ and nynety fyve years when the Parliament was about the giveing to His Majestie an additionall Excyse upon Ale &c. the Brewers then represented to His Majesties Commissioner and the Honourable Estates of Parliament the lowness of their condition and that unless the pryce of ale were by them hightened to thirty two pennies per pint as the minimum they could not hold their trade yet the Parliament hopeing that the pryces of victuall would quickly fall was pleased to appoint them only twenty eight pennies as the minimum which is the greatest pryce they ever could obtain for their ordinary selling ale albeit they were not hindered nor disallowed by the Government to have raised it higher yet without the authority of a Law they could not although the pryces of victuall and their burdens did after that encrease greatly Whereupon the Brewers in the moneth of March last meaned themselves to the Lords of His Majesties Privy Councill but their Lordships did not then find themselves authorised to appoint thirty two pennies for the pint of ale as the minimum nor to do otherwayes then the Parliament had done albeit it was then too plain that thirty two pennies was rather too low then too high a pryce for the ordinary selling ale which experience has now too clearly demonstrated For a great many brewers who were substantiall men and skilfull of their trade of brewing (all their skill and industry notwithstanding) are quite broke put altogether from their trade and not only their own numerous families scattered and exposed to want but also many poor families of their servants who depended upon them by their breaking are reduced to misery and severall noblemen and gentlemen disappointed of the payment of their bear which being now too truely understood by his Grace His Majesties High Commissioner and the Right Honourable the Estates of Parliament they (as the Brewers are informed) designe that the burden of the additionall Excise on the Brewers so unsupportable shall not lye on them after the moneth of February nixt to come which the Brewers desire to acknowledge with all gratitude as a mark of the Parliaments compassion to them yet most humbly crave liberty to represent that unless the pryce of their ordinary ale be raised to Thirty two pennies per pint as the minimum from the first day of September now instant I^m vj^c^ and nynety eight to the first of March nixt to come in the year I^m vj^c^ and nynety nyne years dureing the concurring and continueing of the annexed and additionall Excyses of six pennies being in all with the Touns impostion eight pennies upon each pint of ale And that unless twenty eight pennies for the pint of ale be by the Parliament appointed as the minimum after the last day of February nixt to come (if of necessity the annexed Excyse must be continued) it is utterly impossible for the Brewers to hold their trade so as to pay their victuall and the respective Excyses now that Thirty two pennies per pint from the first of September instant to the first of March nixt is the least pryce can be appointed is so plainly reasonable that the Petitioners did not trouble the Parliament with other arguments about it then what are above represented And if the pryce of ale after February nixt to come (the annexed Excyse being continued) be not tuenty eight pennies per pint the Brewers are so far from being bettered by only easeing them of the additionall Excyse of three pennies per pint that they shall be in a worse case then before if the pryce of ale shall fall four pennies per pint especially seing it is certain that the three pennies of annexed Excyse come in place of the former two merks doth amount at least to nyne shilling and four pennies more And the Brewers being told by some that they most be lyable to the annexed Excyse after the moneth of February nixt to come whither they be able or not seing as is alleadged it cannot be taken off now They do desyre and earnestly intreat that in the most accurat way that can be devysed an experiment by order of authority may be made by causing brew a quantity of the severall kinds of malt to be procured and brewn by any trusty person or persons tho not tradeing but skilfull in the way of brewing and that at the sight and occular inspection of such as shall be authorised for that effect That the real product of malt being knowen it may be truely understood whither the Brewers be able or not to sell their ale under the rates desyred in the present circumstances and then to all men who will soberly allow a little of their patience and serious thoughts upon this weighty (tho too little pondered) affair which so much concerns both the King and Country it will evidently appear that the Brewers are not able by their trade of brewing to pay their victuall Excyses unless the pryce of ale be heightned as above And by impartiall reckoning it will be found that the Excyses have for these severall years bygone been payed not by the drinkers (as is often inconsiderately alleadged) but truely and indeed by the Brewers and that not out of any profite of their trade but out of their own privat Stocks and fortunes all which to a demonstration is evident from the Computation following viz. Payed by the Brewer for the boll of malt now selling at twelve or thirteen pounds per boll reckoned here only to nyne pound ten shilling Annexed Excyse one pound sixteen Shilling Towns Impostion one pound four shilling House rent six shilling Couperadge two shilling Mentainence of servants six shilling eight pennies Coal and Candle thirteen shilling four pennies Penny per pound drink money

and expences of inbringing one pound, Mentainence of brewing Looms such as coper coolers fats floats wortstaines gantrees &c. six shilling The sum of all which is fyfteen pounds and four shilling Received by the Brewer per eighteen gallons of twenty eight penny ale which is more then can be drawn albeit they Survey to the rate of twenty Gallons moſt unreaſonably and for the eighteen gallons suppoſed tho not got the Brewer gets only fourteen pound eight shilling Per draff barm and dreg according to the present rate fourteen shilling so that to Ballance the accompt he Loſes two shilling By which Computation which is as candid as can be made and which cannot be quarrelled by any unbyaſsed perſon It plainly appears that the Brewers have been and ſo long as the victual continues dear will be Loſers besides their hazard and frequent Loſs by bad debt returned run out and spoilt ale the Taxes which they pay to the Toun for their trade and other great riſques And when the victuall shall fall cheaper they muſt draw a far shorter length and quantity of ale And it is notourly known that no Brewer can well draw eighteen Gallons of any of the best Scots barley at present of such drink as can keep for the neceſsary time of running for sale in a tavern or alehouſe Albeit some endeavoured to get and may be even got of the beſt Engliſh victuall sometime twenty gallons wherof a great part was often spoiled becauſe of its weakneſs But the Tacksmen and their servants takeing advantage that twenty gallons had been drawn of the beſt Engliſh victuall they have never miſsed still to survey to twenty gallons for each boll even of the worſt Scots victuall by which their Surveyes were made up as they now be So many Brewers being already broken theſe who still are wreſtleing to hold so much Credit as to hold their numerous families togither find themſelves neceſsitated now when they have an opportunity to lay their straitened caſe before his Grace His Majesties High Commiſsioner and the right honourable the Estates of Parliament their great patriots from whoſe wisdom and care only they can expect seasonable and effectuall relief And therefor humbly Craveing his Grace and Right Honourable Estates of Parliament to take the Petioners straitened caſe unto their serious conſideration and for preventing the ruin of so many men and their numerous families who have not only hitherto payed so great supplies for the service of their King and Country but have and still do maintain a very considerable number of servants and their families and keep them from starving begging or being troublesome to the country graciouſly to Appoint that thirty two pennies Scots per pint shall be the minimum for the pryce of ale from the firſt of September inſtant to the firſt of March nixt to come dureing the concurring and continueing of the annexed and additionall Excyſes Which with the Touns impoſition makes in all eight pennies of Excyſe upon each pint of ale And to Appoint that from the firſt of March nixt to come dureing the continueing of the annexed Excyſe that twenty eight pennies per pint ſhall be the minimum in and about Edinburgh And to authorize the Lords of His Majesties Privy Councill to Hear & Rectifie to the Brewers what they shall hereafter see grievous to them so far as their Lordſhips shall find juſt without prejudice to His Majeſtie And to impower their Lordſhips to raiſe and low the pryces of ale as they shall find juſt as the said Petition bears Which being this day read in presence of and conſidered by His Majesties High Commiſsioner and the Eſtates of Parliament they have Ordained & hereby Ordaine that the minimum for the pryce of ale in retaill be thirty two pennies per pint and that from this first of September I^m vj^c^ and nynety eight years to the firſt of March nixt nynety nyne and that the minimum for the pryce of ale by retaill be twenty eight pennies per pint from the said firſt day of March to the nixt Seſsion of Parliament and that for the bounds in and about Edinburgh And have Ordained & by thir preſents Ordain the Magiſtrats to publiſh and print the same And have declared and hereby declare the penalties for selling the ale under the said pryces to be the same which are contained in the former Act of Parliament appointing the minimums And have Ordained and hereby Ordain that the minimum payable to the Brewer be twenty eight pennies when the retaill is thirty two pennies and twenty four pennies when the retaill is twenty eight pennies.

Act in favors of David Earl of Northesk

ANENT the Petition of David Earl of Northeſk humbly Shewing to his Grace His Majesties High Commiſsioner and the Right Honourable the Estates of Parliament that the Pow and Harbour of Erroll has been made uſe of by the whole Carſe of Gourie and other adjacent places as an harbour for Exporting their victuall towards the south and other places As also for importing from the south Coalls and other Commodities fit for the uſe of the Countrey and by the frequent repair of people to the said harbour with their horſes cairts and waines there are severall roads and high wayes made through your Petitioners property As also the frequent comeing in of ships barks and other vessells to the said harbour and anchoring and ballaſting therat has made the braes of the said Pow and harbour to fall All which does occaſion a great dale of damnage to your Petitioners property And also seeing the said harbour has become altogether ruinous through the falling of the said braes So that unleſs the samine be repaired with stone which muſt be brought from other places the Petitioner haveing none in his own ground which will be very expensive And the Petitioner being resolved to repair the samine for the uſe and benefite

of the Country there being no other convenient harbour betwixt Perth and Dundee He therefor humbly Craved his Grace and Honourable Estates of Parliament to take the premiſses to their conſideration and to encourage so neceſsar and profitable a work as repairing of the said harbour by allowing the Petitioner to Exact Shoar dues anchorages & other pettie Cuſtomes ordinarly uplifted and exacted at other harbours such as Montroſs Aberbrothock Dundee and Perth for helping to build and maintain the same Which Petition His Majesties High Commiſsioner and Estates of Parliament haveing this day heard and conſidered they have Granted and hereby do Grant the deſire therof.

[Chirurgions of Edin^r^]

ACT in favors of the Chirurgeons of Edinburgh read for a firſt time.

[Anent the Pole]

REPORT of the Commiſsion of Parliament anent the Pole 1698 read And after some debate it being moved that the severall Petitions of the Tackſmen of that Pole and of the officers of the diſbanded Souldiers for whoſe arrears the said Pole was impoſed with the queries from the Commiſsion for the said Pole should be all Remitted back to that Commiſsion with a Parliamentary power and to be determined betwixt and the first of March nixt with this declaration that the members of the said Commiſsion should not be lyable for their determination And that it ſhould be remitted to the King to fill up the vacancies It was put to the vote Remitt or not and carried Remitt And the Act and Remitt appointed to be printed and publiſhed.

[Acts touched with the Scepter]

THE following Acts viz. Act for an additionall allowance to the Lords of Seſsion, Act for preſerveing the Game Act for preſerveing of Planting Act anent perſons going to and returning from France Act anent the Tunnage Act Regulating the Trade betwixt the Burghs Royall and Burghs of Regality & Barony and others Act Settleing the Communication of Trade Act anent the Poor Act againſt Perſonall Protections Act transporting the Excyſe of Brandie Act for encourageing Whyte fiſh and herring fiſhing and Act continueing the Pole all touched with the Scepter by His Majesties High Commiſsioner in the uſuall manner As alſo Act in favors of the Glaſs Manufactory at the Weems and Act in favors of the Glaſs Manufactory at Moriſons Haven touched in the same manner And of which severall Acts so touched the tenors do follow.

ACT in favors of the Senators of the Colledge of Juſtice

THE Estates of Parliament considering that the 33
Senators of the Colledge of Juſtice are not at preſent competently provyded Do therefor Make ane humble offer to His Majestie of two severall Quarters of an moneths Ceſs payable in the manner and at the terms after mentioned to the Lords of Seſsion viz. one Quarter of a moneths Ceſs to be payed at the term of Whitsunday nixt to come to be equally divyded among the ordinary Lords of Seſsion the one halfe therof for their Service in November December and January nixt and the other halfe for their Service in February June and July thereafter according as their preſent Sallaries are divyded and the other Quarter of a moneths Ceſs to be payed at the term of Whitsunday I^m^ and vije^r^ years and to be divyded in manner forsaid for their proviſion in the mean time till the Parliament shall find out a fond for their better proviſion in all time comeing Lykeas His Majestie with advyce and consent of the said Estates Appoints the said two quarters of a moneths Ceſs to be uplifted by the Collectors of Supply granted to His Majeſtie by an Act of this preſent Seſsion of Parliament in the severall Shyres and Burghs of this Kingdome and the same Execution to be uſed for ingathering therof as is appointed for his Majesties Supply And that the severall Collectors forsaids pay in the same to the Collector appointed or to be appointed by the said Lords for uplifting the other branches of their Sallaries whoſe diſcharge upon recept therof in whole or in part shall be a sufficient Exoneration to the Shyres and Burghs and all others whom it effeirs Lykeas it is hereby provyded that no perſon ſhall be holden to produce their diſcharges of this Ceſs after three years from the said respective terms of payment.

ACT for preserving the Game

OUR SOVERAIGN LORD Considering that. 34
the Laws and Acts of Parliament for preſerveing of Game has not hitherto been put to due Execution as they ought to have been Therefore His Majeſtie with advyce and consent of the Estates of Parliament Renews Ratifies and Revives all former Laws made for preſerveing of Game and particularly the twentieth Act Parliament firſt Seſsion firſt of King James the Seventh in the year I^m^ vje^r^ and eighty fyve And ordains the same to be put to full Execution in all points And there being a clauſe in the end of the said Act that for the preſervation and encreaſe of Partridge Muirfoul Heathfoull and Quaills which are so much decayed of late It was Statute and Ordained that no perſon or

perſons whatſoever ſhall make uſe of setting dogs with nets for takeing or killing of Partridges Muirfouls Heathfouls or Quaills within any part of the Kingdome for the space of seven years immediatly after the publication therof under the pain of fourty merks Scots for each foul that shall be so taken to be payed by the killers or takers to the Maſters of the Game and their deputs or others who should purſue the same And it being juſt and reasonable that the said clauſe should be continued for some longer time Therefore His Majestie with advyce and consent of the Eſtates of Parliament Statutes and Ordains that the said Clauſe be continued and hereby continues the same for seven years after the publication hereof and ordains the maſters of the game Sherriffs Baillies of Regalities Stewartries Juſtices of Peace and other Judges to put the ſame in full and vigorous Execution.

ACT for preserving of Planting

35 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament Ratifies and Approves all former Laws and Acts of Parliament made for planting and incloſeing of ground And for makeing the samine more effectuall Statutes and Ordains that all tennents and cottars shall preſerve and secure all growing wood & planting that is upon the ground they poſſeſs that none of it shall be cut broke or pulled up by the roots or the bark peilled off any tree and that under the pain to be exacted by their maſters allennarly of ten pounds Scots for each tree within ten years old and twenty pound Scots for each tree that is above the said age of ten years unleſs the samine be done by warrand and order of the said maſter and heretor of the ground And ordains the tennent to be lyable for his wife children and servants or any others within his familie that shall contraveen this preſent Act.

ACT anent Perſons going to and returning from France

36 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament Ratifies and Approves an Proclamation emitted by his Majeſtie with advyce of his Privy Council of the date the tenth day of May laſt wherof the tenor followes Whereas We are informed that severall diſaffected perſons who did go into or remain in the Kingdom of France during the late war contrary to the late Act of Parliament made theranent are resolved to return privately into this our Kingdom Therefore and for preventing any inconveniency that may ariſe therupon We have thought fit with advyce of the Lords of our Privy Council to Command and Appoint lykeas We hereby Command and Appoint all Maſters of Ships who shall bring home any paſsengers from any forraigne Countreyes after the date hereof that they do detain them and take security of them for the effect after specified untill they be presented unto and brought before one of the members of our said Privy Council or before the Sheriff Stewart Lord of Regality or Baillie of the bounds within the which the said ship shall happen to arryve or their Deputs or before the Magiſtrats of Burghs or ports at which the said Ships may arryve as said is that the said paſsengers may be by them examined And if the said Sheriffs and other officers of the Law and their deputs or the forsaid Magiſtrats shall find the said paſsengers or any of them to be disaffected to us and our government or to have gone to or remained in France contrare to Law dureing the said late war or to have been baniſhed intercommuned or forfaulted or that they cannot give a good account of themſelves that then and in that caſe the said Sheriffs and other officers of the Law and Magistrats forsaid make and keep the said paſsengers priſoners untill they acquaint the said Lords of our Privy Councill and receive from them such orders as they shall think fit to give in this matter Certifieing all Maſters of Ships and alſo all the said Sherriffs Stewarts Lords of Regalities Baillies and their deputs and Magiſtrats of Burghs and Ports forsaid who shall not observe or who shall contraveen the premiſses that they shall be proceeded againſt before the Lords of our Privy Council and by them puniſhed with all rigour as the said Proclamation in itselfe proports And which His Majestie with advyce and conſent forsaid Ordains to be strictly and punctually observed And farder Statutes that no person going to France or any of the dominions belonging to the French King shall presume to go to St Germans or any other place where the late King James resides nor converſe nor correspond there where the said late King resides with any of his adherents of with any other denunced fugitive for rebellion or for their going to or abideing in France contrary to the said Act of Parliament One thouſand six hundred and nynety three and that under the pain of being puniſhed as Correſponders with rebells and traitors Certifieing all that shall act and do in the contrary that they shall be held and repute as Correſponders with Traitors and puniſhed therefore accordingly.

ACT anent the Tunnage

37 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament Statutes and Ordains that the sixteen shilling per tun impoſed on all forraign ships arryveing in this Kingdome or any of the ports harbours creeks or coaſts therof by a former Act of this Parliament be for here-

after leſsened and brought down to eight shilling per tun on all forraign ships comeing to this Kingdom for exporting and actually exporting the coall therof And that it be hightened and augmented to twenty four ſhilling per tun on all other forraign ships arryveing in this Kingdom for any other cauſe or occaſion As also that the samine with the four shilling per tun impoſed by the said Act on all ships belonging to this Kingdom except the ships belonging to the Company trade-ing to Affrica and the Indies be continued for fyve years after this date as the same is thereby laid on And His Majestie with advyce and consent forſaid doth hereby deſtinat and appoint the whole forsaid sums impoſed by way of tunnage to be applyed in the firſt place for maintaining his Majeſties Frigots at the sight & by the orders of the Commiſsioners of His Majeſties Thesaury from time to time as they ſhall see cauſe But with the burden allwayes in the nixt place of one hundred pound Sterling yearly to Sir Archbald Sinclair Judge of the Admirality as a Sallary for excerce-ing the said office conform to his Gift from His Majestie of the said office As alſo with the burden of the other payments ordered by the said Act of Parliament to Mr John Adair Geographer and Mr John Slezer And furder with the burden of ane hundred and fifty pound Sterling yearly as the yearly fee and sallary granted to Mr Alexander Cunningham as Profeſsor of the Civil Law nominat and deſigned to that profeſsion.

ACT Regulating the Trade betwixt Burghs Royall & Burghs of Regality Barony and others

38 OUR SOVERAIGN LORD for farder clearing of the trade allowed to Burghs of Barony and Regality or others who are not freemen of Burghs Royall Doth with advyce and consent of the Estates of Parliament Statute Enact and Declare that in time comeing the exporting of the native goods from this Kingdome and the importing of forraign goods into the Kingdom is the priviledge of the freemen and burgeſses of Burghs Royall and of such to whom the said priviledge shall be communicat exclusive of all others excepting the exportation of corns cattle horſe nolt sheep coal salt mettall and mineralls lyme and stone And but prejudice to Noblemen and Barons to export the native products growing or manufactored in their lands and to import forraign commodities for their own uſe and not for sale answering to the value of such export Excepting alſo the priviledges granted by Law to declaired Manufactories and Societies for fiſhing And farder it is declared That in time comeing the Inhabitants of Burghs of Regality and Barony and others may trade buy and sell all native Commodities as alſo retaill forraign Commodities provideing they buy theſe forraign Commodities from some of the freemen of the Burghs Royall or of such Burghs who ſhall get the forsaid communication and who payes scot and lot within Burgh and no otherwayes And the Grant of theſe priviledges in favors of the Royall Burrows shall have execution in the way and manner prescribed by the Twelfth Act Second Seſsion of this current Parliament anno I^m vj^c and nynety in favors of Royall Burrows.

ACT for settleing the Communication of Trade

OUR SOVERAIGN LORD for terminating 39
the differences that have lately ariſen betwixt the Burghs Royall and Burghs of Regality & Barony and others on the account of the Communication of Trade appointed by the Act of Parliament I^m vj^c and nynety three and especially about the subdiviſion of the Ten pound of the Hundred pounds of the Taxt roll of the Burghs Royall declared by the said Act to be the proportion to be undertaken by the said Burghs of Regality and Barony & others who were to partake of the said Communication dureing the space and years of Mr John Buchans contract mentioned in the said Act As alſo what should be the quota of the said Taxt Roll which should be laid for hereafter upon the said Burghs of Regality & Barony and others who should partake of the said Communication and how the same should be subdivyded and proportioned amongſt them Doth with the advyce and consent of the Estates of Parliament Ratifie and Confirm the Communication of trade ordained by the forsaid Act and that in the terms declared for hereafter by another Act of this Seſsion of Parliament intituled Act for Regulation of trade betwixt Burghs Royall and Burghs of Regality &c. And for Clearing of the forsaid Queſtions and makeing of the said Communication more effectuall His Majestie with advyce and conſent forsaid Gives full Power Warrand and Commiſsion to such perſons and quorum of them as shall be nominat by His Majestie to meet and conveen at Edinburgh the day of and thereafter at such times and places as they themſelves shall appoint With full power to the said Commiſsioners to consider as to bygones preceeding the expiration of Mr John Buchans contract how the said ten pounds together with Mr Johns expences as it shall be modified by the said Commiſsioners may be moſt equally subdivyded and proportioned amongſt the said Burghs of Regality and Barony and other unfree traders as well for the part of such unfree traders as have got the benefite of the said Communication as for the part of such as have not got it that they for the space forsaid may be fully liberat and diſcharged of all hazard of unfree

tradeing and to subdivide and proportion the same accordingly As lykewayes to consider for the year since the expiration of Mr John Buchans contract to Lambmaſs laſt bypaſt and alſo for hereafter what quota or part of the said Taxt Roll of ane Hundred pounds of the Burghs Royall should be laid upon the unfree traders of this Kingdom And to subdivide and proportion the same upon the said Burghs of Regality & Barony and others who have got or shall accept and get the benefite of the said Communication as they shall find juſt And the said Commiſsioners are hereby empowered to call all perſons haveing intereſt before them and to take all manner of tryall neceſsar in the premiſses and to cite witneſses and iſhue out diligences requiſite for that effect Declairing that their Sentences and Decreets for stateing and divideing in manner forsaid shall have the force of a Decreet of Parliament and that Letters and all other Execution as againſt Burghs Royall shall be direct thereupon as effeirs And farder His Majeſtie with advyce and consent forsaid Statutes that the said Quota and Subdiviſion being once stated all perſons inhabitants of the said Burghs partakeing of the Communication shall be lyable to be stented for the Quota appointed as the uſe is in Burghs Royall As also that for thereafter the said Burghs shall be lyable to the determination of the Conventions of Royal Burrows as to the alterations of their Quota as other Burghs Royall Provydeing allwayes that the Burgh to be altered be firſt called and that the said alterations shall not encreaſe the generall Quota laid upon unfree trade As lykewayes that in caſe of inequality the Burgh leſed may apply for remedy to the Parliament Lykeas in caſe of the increaſe or decreaſe of trade it is hereby Declared that the Burghs concerned whether Royal or not may apply to the Parliament even as to the general Quotas.

ACT anent the Poor

OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament Ratifies and Approves all former Acts of Parliament and Proclamations of Council for repreſsing of Beggars and for maintaining & employing of the Poor and particularly the Act of Parliament James the Sixth Parliament sixt, Cap: seventy four intituled Act for puniſhment of strong and idle beggars and releif of the poor and impotent Act James Sixth Parliament twelvth Cap: one hundred fourty seven for puniſhment of maſterfull beggars and relief of the poor Act James Sixth Parliament fyfeteenth Cap: two hundred sixty eight that strong beggars vagabounds and Egyptians should be puniſhed Act James Sixth Parliament sixteenth Cap: nyneteenth Ratifieing the former Acts againſt strong and idle beggars Act James Sixth Parliament twenty two Cap: tenth anent the poor Whereby it is Statute that His Majesties Leidges at sight of Provoſt and Baillies in Burgh or of Kirk seſsions either to Burgh or Landward may receive the children of indigent parents with consent of their parents if they any have and if they be under fyfeteen years and with their own consent if they be above fyfeteen years and breed them either in their houſes or at callings and that upon a testimoniall hereof the said children shall be aſtricted to their said maſters their heirs and aſsigneyes in all manner of service and be under all manner of diſcipline (lyfe and torture excepted) untill they be paſt thirty years of age And that all their gain by their travel ſhall be their maſters and they shall be oblidged to refound his damnage for their absence And who keeps them from their maſters after requiſition for delivery within twelve hours shall be lyable in ten shilling per diem beside redelivery with the haill other heads mentioned in the said Act. Act Charles Second Parliament One thouſand six hundred and sixty three Cap: sixteen anent the poor whereby the Act immediatly above mentioned is Ratified with this addition that all maſters of Manufactories may with advyce of the Magiſtrats of the place sease vagabonds and idle poor perſons and imploy them in their work and exact of the paroches where they were born or if the same be not known of the paroches where they have haunted for three years before two shilling per diem for the nixt three years and thereafter may retain them seven years in their service for meat and cloaths with the haill other heads contained in the said Act. Act Charles Second Parliament second One thouſand six hundred and seventy two Cap: eighteenth for establiſhing Correction houſes for idle beggars and vagabonds in the Burghs upon the allowance and in manner fully set down in the Act As also the Acts made anent the Poor in this current Parliament viz. Act seventeenth July I^m^ vj^c^ and nynety fyve Ratifieing and Reviveing the former Acts of Parliament and Acts and Proclamations of Councill for maintaining of the poor and repreſsing of beggars and impowering the Lords of His Majeſties Privy Council to take the moſt effectuall courſe to make the said Acts and Proclamations effectual and Act nynth October I^m^ vj^c^ and nynety six As also all Proclamations of Council for the ends forsaid and particularly the Proclamation anent the Poor of the date the third day of March laſt bypaſt and the other Proclamations therin mentioned And ordains the said whole Acts of Parliament and Proclamations with the alterations only aftermentioned and such others as shall be found neceſsary to make the same effectuall to be put to full and vigorous Execution in all points And farder His Majeſtie for the better and more effectuall Execution of the forsaid Acts and Proclamations with advyce and consent forsaid Impowers and

Authoriſes the Lords of His Majesties Privy Councill to grant Commiſsions one or moe to certain persons to be superviſors and inspectors of the Poor either in particular Shyres and Burghs or over the whole Kingdom with power to the said Commiſsioners to cauſe put the said Laws and Acts of Parliament in Execution and particularly to cauſe the perſons therein intruſted to do and perform their parts according as they are therby enjoyned As alſo to cauſe the Burgh oblidged to build Correction houſes by the forſaid Act of Parliament I^m^ vj^c^ and seventy two and Proclamation in March laſt to build them betwixt and such dayes and in such order as they shall think fit and as the said Burghs are able to bear the same notwithstanding the dayes named in the said Act and Proclamation And generally the said Lords of His Majesties Privy Council to make and emit such Acts and Constitutions not inconſistent with the standing Laws as shall be thought neceſsary for the more sure employing and maintaining of the poor and freeing of the Countrey of vagabonds and idle beggars And which Acts and Constitutions shall only continue till the nixt Seſsion of Parliament And the Estates of Parliament do again humbly Recommend to His Majeſtie to cauſe viſit all Hospitalls and their rents rights and foundations conform to the Recommendation contained in the forsaid Act of Parliament I^m^ vj^c^ and nynety six And laſtly it is hereby Declaired that the Correction houſe ordained to be built at Dunce is to be built at Greenlaw which is now declaired to be the head Burgh of the shyre of Berwick.

ACT againſt Personal Protections

41 OUR SOVERAIGN LORD the Kings Majeſtie with advyce & consent of the Estates of Parliament Statutes and Ordains that no Protection to be granted hereafter shall take effect to hinder any Creditor from uſeing perſonall diligence againſt the debitor where the Creditor was not cited upon fyfeteen dayes to give in objections why the protection should not paſs And where Creditors are cited to the granting of protections that their names and deſignations be particularly set down in the protection It is lykewayes Statute and Ordained that all protections to be granted in Parliament shall bear to be granted by the King with advyce and consent of the Estates of Parliament otherwayes to be voyd and null but prejudice to the Lords of His Majeſties Council Seſsion and Exchequer and the Commiſsioners of Juſticiary to grant protections conform to the power reſerved to them by the Act of Parliament I^m^ vj^c^ and Eighty one againſt perſonall protections and in the terms therof allenarly Lykeas His Majeſtie with advyce and consent forſaid Statute and Ordain that hereafter no perſon dureing the currency of and till he Renunce the benefite of his protection shall be capable to choiſe or be choſen a member of Parliament.

ACT anent the Excyſe of Brandie

OUR SOVERAIGN LORD considering that 42
the uplifting of the annexed Excyſe of six shilling per pint on the Brandy from the retailer is the occaſion of great and many inconveniencies And that albeit the said Excyſe be lately set with the annexed Excyſe of Three pennies per pint on ale and drinking bear yet the Tackſmen are willing and consent that the said Excyſe of Six ſhilling per pint be diſcharged as to the Retailer and in lieu therof Two shilling per pint laid on the importer at the import which may be both more profitable to His Majeſtie and eaſie to the Leidges Therefor His Majeſtie with advyce and consent of the Estates of Parliament hath Diſcharged and hereby Diſcharges from the firſt day of March nixt to come the said Six shilling per pint on Brandy impoſed on the retailer and in lieu therof Impoſes the said Excyſe on Brandy at the rate of Two shilling per pint on the importer at the import to be uplifted at the same tyme and in the same manner with His Majesties Cuſtoms Declairing nevertheleſs that this diſcharge of the said six shilling per pint and impoſition of Two shilling per pint and Commutation from the Retailer to the Importer above mentioned shall only continue for the space of the said Tack and dureing the fyve years for which the same is set and longer as His Majeſtie shall pleaſe to determine and no otherwayes And the Eſtates of Parliament do humbly Remitt to His Majeſties option to make choiſe for thereafter either of the said Six shilling per pint on Brandie to be payed by the retailer or two shilling per pint to be payed by the Importer in either of which caſes the said Excyſe on Brandie is to remain annexed to the Crown as formerly.

ACT for the Encouragement of White fiſhing & Herring. fiſhing

OUR SOVERAIGN LORD considering that 43
Merchants and others who imploy their stock upon the trade of fiſhing have not received the encouragement granted them by the thirty fourth Act second Seſsion of this Parliament in getting due payment of ten pounds four shilling Scots from the cuſtomers of His Majeſties Cuſtomes by way of drawback for each laſt of Herrings and White fiſh exported out of this Kingdom Therefore His Majeſtie with advyce and consent of the Eſtates of Parliament does Statute and Ordain that in all time comeing the Tackſmen or Collectors of his Majeſties Cuſtomes and forraign Excyſe shall pay to the Merchants Exporters of all Herrings

and White fish that they shall export out of this Kingdome or take at ſea by buſhes or other veſsells and export immediatly without being put aſhoar the sum of ten pounds four ſhilling Scots for each laſt of Herrings or White fiſh ſo exported And that immediatly upon the Merchant Exporter their produceing at the Cuſtome houſe where they reſide a Bill of Loading for the quantity they have exported togither with a Certificat of the depoſitions duely taken before any inferior Judge of any two of thoſe that cured the said Herrings or White fiſh that they were all truely and loyally cured with forraigne great Salt And in caſe of the Collectors refuſall of payment upon production of the said Bill of Loading and Certificat of depoſitions then it ſhall be leiſum to the merchant exporter to purſue them before any inferior Judge for the said ten pound four shilling per laſt and that no advocation be given of any such proceſs or Suſpenſion of decreets thereon shall paſs except on payment and a diſcharge produced And His Majeſtie with advyce and consent forsaid Statutes and Declares that all materialls proper and imported for the buſh fiſhing shall be free of all Cuſtome and Excyſe at their import And that the said buſh fiſhers exporting from ſea as ſaid is shall be allowed to prove the quantity exported and the loyall cureing after their return from abroad before any Judge competent to the effect they may have the benefite of the said allowance as the same shall be found due.

ACT continueing the Pole

44 OUR SOVERAIGN LORD considering that the Impoſition of a Pole granted by the Act of the thirtieth day of Auguſt of this Parliament will not be ſufficient for the ends therein mentioned Doth therefore with advyce and conſent of the Eſtates of Parliament Add to the forsaid impoſition a furder impoſition of the like Pole mentioned in the said Act of Pole for a second year in its severall Claſses and for the ends and in the terms specified in the said Act And Ordains the stateing uplifting payment and application of this second years Pole to be in all reſpects the same as for the said firſt Pole the year and terms of meetings and payments only changed And His Majeſtie with advyce forsaid Does hereby expreſsly burden this second Pole with the payment in the firſt place preferable to all others of the cloathing money due to the officers who were in service preceeding the year one thouſand six hundred nynety one in ſo far as the ſame ſhall be found to be still reſting unpayed And alſo of what shall be found due to Patrick Hepburne as Chyrurgeon to the Lord Strathnavers and Grants regiments in that tinle either upon the account of droggs or service as the Lords of Thesaury shall determine

ACT and RATIFICATION in favors of the Glaſs Manufactory at the Weems

OUR SOVERAIGN LORD with advyce and 45
consent of the Estates of Parliament for the better Improvement of ane Manufactory of Glaſs Work set up be David Lord Elcho within his bounds at the Weems and to be carried on by him and his partners whom he hath aſsumed Doth hereby Ratifie and Approve ane Act of His Majesties Privy Council in his favors of the date the day of laſt Wherby the said Lords did allow the said David Lord Elcho to set up the said Manufactory and Glaſs Work with the perſons to be imployed therein and stock imployed theron And that they should have and enjoy the whole Priviledges Liberties and Immunities granted by the former Acts of Parliament or Council in favors of Manufactories at any tyme bygone as the said act of Council at length bears And in regaird the adventurers have been at great expenſes and trouble in building and erecting furnaces fit for the said Manufactory Therefore His Majestie with advyce and conſent of the Estates of Parliament hereby Diſcharges and Prohibites all perſons whatſomever from makeing any new species of Glaſses aftermentioned which were never made before in this Kingdom viz. mirrour or looking glaſs plates coach glaſses moulded glaſses and window glaſses and that for the space of nyne years after the date hereof unleſs that others shall set up and make the said species of glaſses within two years after the date hereof And lykewayes does Prohibite and Diſcharge all persons whatsomever to import any of theſe species of Glaſs abovementioned for sale under the pain of Confiſcation of what ſhall be so imported after the firſt nyne moneths nixt to come The one halfe to be applyed for the uſe of the said Manufactory and the other halfe to the diſcoverer the said Lord Elcho and his Copartners allwayes furniſhing the Kingdom in as good and as cheap glaſs of the species forsaid as they have been sold at London or has been imported any time heretofore And finding sufficient Caution before the Lords of His Majeſties Privy Council for that effect under such pains as they shall appoint And farder with Certification if they failzie herein they shall amit the priviledges and benefite of the diſcharge and prohibition abovementioned And siclyke doth hereby Grant to and Endue the said Manufactory with all the Priviledges Immunities and Exemptions granted formerly to other Manufactories within this Kingdome And it is hereby provided that this Act shall not prejudge the priviledges granted to the Glaſs Manufactory at Leith already set up And finally it is Declared that this preſent Act ſhall be no wayes prejudiciall to the Act granted in favors of the Glaſs Manufactory at Atchesons haven

ACT and RATIFICATION in favors of the Glaſs Manufactory at Morisons haven

46 OUR SOVERAIGN LORD with advyce and consent of the Estates of Parliament for the better Improvement of the Manufactory of the Glaſs Work firſt set up and erected by William Moriſone of Preſtoungrange within his own bounds at Atcheſons haven alias Moriſons haven and now carried on by him and his partners whom he hath aſsumed Doth hereby Ratifie and Approve an act of His Majeſties Privy Council in his favors of the date the twenty seventh day of Apryle I^m vj^c and nynety seven years Whereby the said Lords did allow the said William Moriſon to set up a Manufactory at the said place for makeing of Glaſses And Declared that the said Manufactory & Glaſs Work with the perſons to be employed therein and stock imployed theron ſhould have and enjoy the haill Priviledges Liberties and Immunities granted by the former Acts of Parliament or Council in favors of Manufactories at any time bygone as the said act of Council at length bears And farder considering that the said Manufactory is now set a going by the said William Moriſon and his said partners whereby the Countrey about is not only furniſhed with bottles which are ſold at very moderat and eaſie rates but lykewayes there are made severall other ſorts and species of glaſses which were never heretofore manufactured within this Kingdome such as mirror or looking glaſs plates coatch glaſses moulded glaſses and window glaſses And in regaird the adventurers have been at great expenſses and trouble in building ane glaſs houſe & furnaces fit for the said Manufactory and in bringing home from abroad expert workmen for the said work and in maintaining them in the Countrey theſe two years bypaſt or thereby Therefore His Majeſtie with advyce and consent of the Estates of Parliament hereby Prohibites and Diſcharges all perſons whatsomever from makeing any of theſe new species of glaſses above and aftermentioned which were never made before in this Kingdom viz. mirror or looking glaſs plates coatch glaſses moulded glaſses and window glaſses and that for the space of nyne years after the date hereof unleſs that others shall set up and make the said species of glaſs within two years after the date hereof And lykewayes does Prohibite and Diſcharge all perſons whatſomever to import any of theſe species of glaſs abovementioned for ſale under the pain of confiſcation of what ſhall be ſo imported after the firſt nyne moneths nixt to come the one halfe to be applyed for the uſe of the said Manufactory and the other halfe to the diſcoverer the said Wm Moriſon and his Copartners allwayes furniſhing to the Kingdom as good and as cheap as the forſaid species of glaſs have been sold at London or has been imported any time heretofore and finding sufficient Caution before the Lords of His Majeſties Privy Counſell for that effect under such pains as they shall appoint And farder with Certification that if they failzie herein they ſhall amitt the priviledge and benefite of the diſcharge & prohibition abovementioned And sicklyke doth hereby Grant to and Indue the said Manufactory with all the Priviledges Immunities and Exemptions granted formerly to other Manufactories within this Kingdom And it is hereby provyded that this Act ſhall not prejudge the priviledges granted to the Glaſs Manufactory at Leith already set up And finally it is declared that the Lord Elcho haveing obtained an Act for his Glaſs Manufactory of the same tenor and date this present Act ſhall no wayes be prejudiciall thereto In obedience and conform to whieh Clause abovementioned for finding Caution as is above expreſt the said Wm Moriſon of Preſtoungrange did give bond and find ſufficient Caution acted in the books of Privy Councill to the effect abovementioned, under the penalty of one hundred pounds Sterling appointed by the Lords thereof and that before Extracting of this preſent Act as ane Teſtificat under the Hand of Sir Gilbert Elliot Clerk of the Privy Counſell of the date the firſt day of Auguſt I^m vj^c and nynety nyne years bears.

PETITION and Proces Captain James Drummond of Hill againſt his Creditors for a Protection moved And after some debate the vote was put Grant perſonall Protection till the nixt Seſsion of Parliament or not and carried Grant.

Recommendation in favors of the Macers & Keepers of the Parliament House

HIS Majesties High Commiſsioner and the Estates of Parliament Do hereby Recommend the Macers and Keepers of the Parliament houſe to the Lords of His Majeſties Thesaury for a gratification for their extraordinar attendance this Seſsion of Parliament.

ACT Salvo Jure Cujuſlibet read voted and approven.

[Acts touched with the Scepter]

ACT and Remit to the Commiſsion of Parliament anent the Pole I^m vj^c and nynety three Protection Captain James Drummond and Act Salvo Jure &c. all Touched with the Scepter by his Majeſties high Commiſsioner in the uſual manner: of which several Acts the tenors follow.

ACT and Remit to the Commiſsion of the Pole.

47 OUR SOVERAIGN LORD and the Estates of Parliament Remit the Petitions of the old and new Tackſmen of the Pole. impoſed in the year one thouſand six hundred nynety three and of the Officers and Queries to the Commiſsion of the said Pole all to be determined by them with a Parliamentary power betwixt and the firſt day of March nixt and Declares that the members of the said Commiſsion shall not be lyable for what they shall determine And Recommends to his Majeſtie to Supply the vacancies.

PROTECTION in favors of Captain James Drummond of Hill

48 ANENT the Petition of Captain James Drummond humbly Shewing to His Grace His Majeſties High Commiſsioner and the Honourable Estates of Parliament That where the Petitioner haveing married Chriſtian Spence heireſs of Hill and having got with her a very conſiderable fortune in money and otherwayes the Laird of Carlourie the Petitioners brother and ſome other of his neareſt relations did inſenſiblie engadge him to be Cautioner for them when he was about twenty two years of age or therby and had neither skill nor knowledge to underſtand their circumſtances which were such as to surprize a great many others moſt prudent and knowing perſons And the Petitioner being engadged in theſe Cautionries did freely not only leave his patrimony to his Creditors but likewayes all that ever he got by his said spouſe was fairly applyed towards their satiſfaction and they have likewayes got payment of some part of the Estates of the common debitors The Petitioner did present a Suſpension before the Lords of Seſsion upon Juratorie Caution wherof the form is known to require a diſpoſition omnium bonorum upon oath And accordingly the Petitioner did consigne a very ingenuous diſpoſition and expede his suſpenſion and in that suſpenſion his whole Creditors are called The Petitioner had the honour to ſerve His Majeſtie abroad as a volunteer and at home by Commiſsion in the troups And besides the univerſall diſpoſition he had made by his frugality he ſaved from his back and belly and from the neceſsities of his familie ſome small sums which he conſtantly applyed towards the payment of his said Creditors which was the uttermoſt evidence of his sincerity and good intentions notwithſtanding that the pay was far from being punctuall or full and there is as much due to him as to any in his circumstances The happy peace has depryved the Petitioner of that way of getting bread And he deſires no more than to preserve his liberty But a very few of his moſt rigorous Creditors all liveing within the Toun or some few myles about it Do now endeavour to diſcuſs the Suſpension In the event wherof he muſt either leave the Countrey become a perpetuall priſoner or submit himselfe to the diſgrace of a bonorum although it is neither in his power to give them satiſfaction more then he has done nor is there any reaſonable expectation that ever the Petitioners friends will be able to redeem his liberty seeing his fathers familie and moſt of his neareſt relations are already ruined So that the rigour is malicious againſt him who hath done all that was in his power to have ſatiſfied them and never had a ſhilling of the money for which he is now diſtreſt but was engaged through simplicity juſt as he came from the Colledge The Petitioner is sensible that the Act of Parliament requiring a Citation upon fifteen dayes is voted before his Petition comes to be read but it is not yet touched nor promulgat nor does he deſire a Protection but upon citation of his Creditors who all live in or about the Toun and who were formerly called in the Suſpenſion And therefor he humbly Craved His Grace and honourable Estates of Parliament in consideration that his engagements were only as Cautioner for his neareſt relations when he was very young and that there was never one six pence applyed to the Petitioners uſe whereas under their hand both the Petitioners patrimony and his wyfes fortune has been intirely applyed for satiſfaction of his obligations And the Petitioner has consigned an univerſall diſpoſition of all that he has in a Suſpension where all his Creditors are called And that there remains no more to the Petitioner now but his perſonal liberty and induſtry whereat his Creditors ought not to grudge becauſe he imployed it for their satiſfaction either to Grant the Petitioner perſonall Protection for any civil debts at his Creditors instance or to grant Warrand to cite his Creditors who are all in or about the Toun upon four dayes in respect the Parliament may not probably continue long To the effect the Petitioner may obtain a Protection only againſt the perſons cited or otherwayes to Remit his caſe which is both ſingular in reſpect of the circumſtances in regaird to his Creditors and in consideration of the time it comes now to be presented to the Lords of Seſsion With power in this Parliamentary caſe to grant Protection or not as they ſhall ſee juſt in a summar proces to be raiſed at the Petitioners inſtance before their Lordſhips upon fyfeteen dayes againſt the winter Seſsion now ensueing as the said Petition bears Which being upon the tenth day of Auguſt laſt bypaſt Read in preſence of and Considered by His Majeſties high Commiſsioner and the Estates of Parliament they granted Warrand to Macers or Meſsengers to cite the Petitioners Creditors on four dayes warning to the

effect abovewritten as an Act extracted in the said matter more fully proports By vertue and conform whereunto Archbald Paterſon meſsenger did upon the eleventh and twelvth dayes of the said monethr of Auguſt laſt lawfully cite the Creditors of the said Captain James Drummond afternamed viz. James Broun Chirurgeon in Edinburgh Sir John Clerk of Pennicook James Watſone of Sauchtoun Mr William Chiefly Wryter to the Signet Robert Patterſon late Baillie in Potterraw as aſsigney be John Mackgill merchant in Edr Mr James Elphinston of Logie Wryter to his Majeſties Signet John Earl of Lauderdale Sir Robert Chiefly late Provoſt of Edinburgh David Plenderleeth of Blyth factor for Edward Darsingtoun in England John Ogilvie Baillie of the Regality of Couper Fullartoun of that Ilk Scoular aſsigney be John Wether Cordiner in the Cannongate Agnas Smith spouſe to Walter Scot Glaſier in Edr and the said Walter for his intereſt James Cunningham indwellar in Cannongate John Murray of Arthurstone and John Corſs his servant Mr Thomas Aikman Wryter to the Signet Miſtres Innes spouſe to Robert Innes Wryter in Edinburgh Erſkine relict of Bare tennent in Arniſtoun Bare her son James Henrie late Stabler in Edr Serjant Currie The Relict and Repreſentatives of George Mackie wryter in Edinburgh Hugh Stivenstoun of Montgrinan The Representatives of James Pennicook wryter in Edinbr Archbald Ker wryter in Edr and Margaret Trotter his mother all to Compear befor his Majeſties High Commiſsioner and the Honourable Eſtates of Parliament upon Tuesday the sixteenth day of Auguſt then inſtant to the effect abovespecified contained in the forsaid Act And sicklyke by vertue of and conform to the said Act Alexander Thomson meſsenger did upon the said twelvth day of Auguſt laſt lawfully cite Walter Porterfield Chirurgeon in Edr one of the Creditors of the said Captain James Drummond to compear befor His Majeſties high Commiſsioner and the said Estates of Parliament upon the forsaid day to the effect abovementioned specified in the said Act as the severall Executions of the forſaid Citations alſo bear. And the said Petition and proces being this day again considered by His Majeſties high Commiſsioner and the said Estates of Parliament they have Granted and hereby Grant personall Protection to the Petitioner againſt his Creditors cited in this proces untill the nixt Seſsion of this or any ensueing Parliament.

ACT Salvo Jure Cujuſlibet

49 OUR SOVERAIGN LORD takeing to consideration that there are severall Acts of Ratifications and others paſt and made in this Seſsion of Parliament in favors of particular persons without calling or hearing of such as may be thereby concerned or prejudged Therefor His Majeſtie with advyce and consent of the Estates of Parliament Statutes and Ordains that all such particular Acts and Acts of Ratifications paſt in manner forsaid shall not prejudge any third party of their lawfull rights nor of their actions and defences competent thereupon before the makeing of the said particular Acts and Acts of Ratifications And that the Lords of Seſsion and all other Judges of this Kingdom shall be oblidged to judge betwixt parties according to their severall rights standing in their perſons before the makeing of the said Acts All which are hereby Expounded and Declared to have been made Salvo Jure Cujuslibet.

THERAFTER His Grace My Lord Commiſsioner made a ſpeech to the Parliament.

THE KINGS MAJESTIE Declares this Parliament current and Adjourns the same to the fyfeteenth day of November nixt Ordaining all Members of Parliament Noblemen Commiſsioners for Shyres and Burghs and all others haveing intereſt to attend at Edinburgh that day at ten a clock And that there be no new Elections in Shyres or Burghs except upon the death of any of the present Commiſsioners. Act of Adjournment

Apud Edinburgh,

XXI DIE MAII, A. D. M.DCC.

THE EIGHTH SESSION of the FIRST PARLIAMENT of Our most High and Dread Soveraign WILLIAM by the Grace of God King of SCOTLAND ENGLAND FRANCE and IRELAND Defender of the Faith Holden and Begun at Edinburgh upon the Twenty firſt day of May One Thouſand and Seven Hundreth years By His Grace James Duke of Queensberry Marques of Drumfreis Shire Earl of Drumlangrig and Sanquhar Viscount of Nith Torthorald & Roſs Lord Douglas of Kinmount Midlebie and Dornock &c. Lord Privy Seal of the Kingdom of Scotland one of the Lords of His Majeſties moſt Honourable Privy Councill Thesaury and Exchequer an extraordinary Lord of Seſsion and one of the Gentlemen of His Majesties Bed Chamber His Majesties High Commiſsioner for Holding the same By vertue of a Commiſsion under His Majeſties Great Seal of this Kingdom with the special advice and consent of the Estates of Parliament underwritten

ROLL of the Nobility Barons and Burgeſses present in Parliament

The EARL OF MARCHMONT LORD HIGH CHANCELLAR

The Lord Montgomery as Lord High Thesaurer

The Earl of Melvill Lord President of the Secret Councill

DUKE of
Hamilton

MARQUES of
Tweeddale

EARLS of
Argyle
Erroll
Mariſchall
Mar
Mortoun
Buchan
Glencairn
Eglintoun
Caſsills
Strathmore
Kellie
Galloway
Lauderdale
Loudoun
Findlater
Carnwath
Leven
Annandale
Northeſk
Aboyne
Kintoir
Tullibardine
Ruglen
March

VISCOUNTS of
Seafield Lord Secretary
Tarbat
Strathallan
Stair

LORDS
Carmichael Lord Secretary
Forbes
Saltoun
Elphinstoun
Roſs
Lundoirs
Blantyre
Burghlie
Jedburgh
Forreſter
Pitſligo
Bargany
Elibank
Belhaven
Duffus
Colvill
Ruthven
Bellenden
Kinnaird
Boyle

The Lords Advocat
Thesaurer dep^{t}
Juſtice Clerk

COMMISSIONERS FROM THE BARONS

For the Shires of

Edinburgh
Sir Alexander Gilmour of Craigmiller
Sir John Clerk of Pennycook
Robert Craig of Riccartoun
Archbald Primroſe of Dalmeny

Haddingtoun
Sir Robert Sinclair of Stivenstoun
Sir John Lauder of Fountainhall
William Morison of Prestoungrange
William Hepburn of Beinstoun

Berwick
Sir John Hume of Blackadder
Sir John Swintoun of that Ilk
George Baillie of Jerveswood
Roxburgh
William Bennet younger of Grubbet
John Scot of Well
James Scot of Gala
Archbald Douglas of Cavers
Selkirk
Sir Francis Scot of Thirlestain
James Pringle of Torwoodlie
Peebles
Sir Alexander Murray of Blackbarony
Lanerk
William Baillie of Lamingtoun
Sir William Denholm of West Shiells
James Hamilton of Aikenhead
Sir William Stuart of Caſtlemilk
Dumfreis
Alexander Johnstoun of Elſhieshiells
Sir Thomas Kilpatrick of Closburn
William Crichtoun of Craufordtoun
Sir John Johnstoun of Westerhall
Wigtoun
Sir Andrew Agnew of Lochnaw
William Mackdowall of Garthland
Air
Mr Francis Montgomery of Giffins
John Crauford of Kilbirnie
Major Hugh Buntein of Kilbride
Dumbartoun
Claud Hamilton of Barns
Bute
Mr William Stuart of Ambriſmore
Renfrew
Robert Pollock of that Ilk
Stirling
Sir John Houstoun of that Ilk
Sir Alexander Monro of Bearcrofts
Linlithgow
Patrick Murray of Livingstoun
Thomas Sharp of Houstoun
Perth
Sir Colin Campbell of Aberruchill
Adam Drummond of Megginſh
Robert Hay of Strowie
Mr James Craigie younger of Dumbarny
Kincardine
Sir Thomas Burnet of Leyes
Alexander Arbuthnet of Knox
Aberdeen
Sir John Forbes of Craigievar
James Moir of Stoniewood
Samuel Forbes of Foveran
Mr James Elphinſtoun of Logie
Inverneſs
Ludovick Grant of that Ilk
Duncan Forbes of Culloden
Nairne
George Brodie of Aſliſk
Cromarty
Argyle
Sir Colin Campbell of Ardkinglaſs
Sir John Campbell of Carrict
Fyfe
Sir William Anſtruther of that Ilk
Sir John Dempſter of Pitliver
Mr James Melvill of Halhill
George Moncrief of Reiddie
Forfar
James Scot of Logie
Mr James Carnegie of Phinhaven
Robert Reid of Baldovie
James Scot younger of Logie
Bamf
Sir James Abercrombie of Birkinboig
Alexander Duff of Bracoe
Stewartry of Kirkcudbright
Hugh Macguffock of Ruſcoe
Patrick Dunbar of Machrimore
Sutherland
Sir Adam Gordon of Dalfolly
Alexander Gordon of Gaithy
Caithnes
Patrick Murray of Pennyland
Elgine
James Broddie of that Ilk
Stewartry of Orkney
Sir William Craigie of Gairſey
Clackmannan
Sir John Erſkine of Alva
Roſs
Kinroſs

COMMISSIONERS FROM THE BURGHS of

Edinburgh	Sir Robert Chieſlie Alexander Thomson
Perth	Robert Smith
Dundee	James Fletcher
Aberdeen	Robert Cruickſhanks
Stirling	Mr Francis Napeir
Linlithgow	Walter Stuart
Saint Andrews	James Smith
Glaſgow	John Anderſon
Air	John Muir
Haddingtoun	Alexander Edgar
Dysart	Alexr Swintoun
Kirkcaldie	John Boiſwell
Montroſe	James Muddie
Couper	Sir Archbald Muir
Anſtruther Eaſter	Patrick Murray
Dumfreis	Robert Johnstoun
Invernes	John Cuthbert
Burntisland	Alexander Gedd
Inuerkeithing	
Kinghorn	Patrick Wallace
Breichen	Francis Moliſon

Irving	Mr Alexr Cunningham
Jedburgh	Adam Ainſlie
Kirkcudbright	Sir Andrew Hume
Wigtoun	William Cultrane
Dumfermling	Mr James Hamilton
Pittenweem	George Smith
Selkirk	Mr John Murray
Dunbritton	Sir James Smollet
Renfrew	Mr James Campbell
Dumbar	Robert Faw
Lanerk	Thomas Hamilton
Aberbrothock	Patrick Steven
Elgine	James Stuart
Peebles	John Muir
Craill	George Moncrief
Tayne	
Gulroſs	Mr David Dalrymple
Bamf	Walter Stuart
Whitehorn	Patrick Murdoch
Forfar	Mr John Lyon
Rothesay	Robert Stuart
Nairn	
Forres	Mr William Broddie
Rutherglen	John Scot
Northberwick	Sir Robert Stuart
Anſtruther Weſter	Mr Robert Clelland
Cullen	Sir John Hamilton
Lauder	David Maitland
Kintoir	Sir James Scougall
Annan	Mr Wm Johnstoun
Lochmebben	William Meinzies
Sanquhar	Sir Alexr Bruce
Newgalloway	Sir Hugh Dalrymple
Kilrenny	Alexr Stivenſon
Fortroſe	Daniel Simpſon
Dingwall	Mr Robert Stuart
Dornock	
Queensferry	Sir Wm Hamilton
Inverary	Hugh Broun
Inverury	Mr Robert Forbes
Weick	Sir Archbald Sinclair
Kirkwall	Sir Alexander Hume
Inverbervy	William Beattie
Stranrawer	Sir Patrick Murray

May 21, 1700.

PRAYERS said

THE Kings Commiſsion to James Duke of Queensberry to be His Majesties high Commiſsioner to this Seſsion of Parliament Read, Whereof the tenor followes.

Commiſsion to the Duke of Queensberry for repreſenting his Majeſtie in this Seſsion of Parliament

GULIELMUS Dei Grâtia Magnæ Brittanniæ Franciæ et Hiberniæ Rex fideiq; Defensor Omnibus probis hominibus ad quos præsentes Literæ nostræ pervenerint Salutem Quandoquidem Nos magni momenti rationibus dicti currentis nostri Parliamenti currentis hujus antiqui Regni Scotiæ Comitia in Octava Seſsione ſua Edinburgi vigesimo primo die mensis Maii proxime futuri Conventura hactenus Statuimus Rebus autem nostris neceſsario nos avocantibus dictæ Parliamenti nostri Seſsioni intereſse nequimus Ideoq; Commiſsionem nostram cuidam eminentiſsimi ordinis ſummæq; fiduciæ ac præclaris animi dotibus imbuto Regiam nostram perſonam et authoritatem in eadem repreſentandi concedere decrevimus Cumq; satis compertum habeamus fidelitatem intaminatam egregias animi Dotes et fidem erga nos singularem fideliſsimi et dilectiſsimi nostri consanguinei et conciliarii Jacobi Ducis de Queensberry secreti nostri Sigilli custodis et unius ex Commiſsionariis Thesaurarii dicti nostri Regni Cujus perpulchræ facultates ad summæ illud fiduciæ munus rite obeundum ac pia et regia noſtra propositâ propaganda tam in promovendo commodo et emolumento dicti nostri antiqui Regni et in ecclesia et in re publica quam ministerio nostro ipsum usquequaq; instructum reddant Noveritis igitur Nos Dediſse et Conceſsiſse perq; hasce nostras patentes literas Dare et Concedere prædicto dilectiſsimo et fideliſsimo nostro Consanguineo et Conciliario Jacobo Duci de Queensberry sacram nostram personam representandi in prædicta octava Seſsione currentis Parliamenti nostri dicti Regni et in re quavis alia ubicunq; de Ecclesia firmanda pace et politia dicti Regni nostri conservanda et excolenda et re nostra propaganda et promovenda tractandum fuerit authoritatem nostram Regalem gerendi et in universis ejusdem administrationibus tanquam ſupremo nostro Commiſsionario pleniſsimam et ampliſsimam nostram potestatem et Commiſsionem Porro tenore presentium eundem Jacobum Ducem de Queensberry cum Commiſsionarii nostri titulo nostra authoritate regali Insignimus plenamq; Ipsi tribuimus potestatem omnia et singula ad munus et imperium Commiſsionarii ſpectantia tam plene et libere quoad omnes effectus quam quilibet alius ejusdem ſummi muneris et characteris (regnantibus quibuscunq; nostrorum sereniſsimorum prædeceſsorum) unquam feçerat seu facere potuerat faciendi agendi peragendi Quæquidem omnia et ſingula in dicta hac Commiſsione prosequenda ab ipso facienda Nos firma et rata habemus et habituri ſumus Omnibus et ſingulis insuper Status nostri offiçialibus iisq; qui nobis ab intimis Conciliis Judicibus Legatis et Officiariis nostrarum in hoc regno copiarum cæterisq; quibuscunq; subditis dicti Regni stricte Mandamus et Imperamus ut præfatum Jacobum Ducem de Queensberry tanquam supremum nostrum Commiſsionarium sacram nostram personam representantem et regalem nostram authoritatem gerentem agnoscant Ipsiq; reverentiam et obsequium prebeant ad effectum et secundum normam in hac nostra Commiſsione præscriptam Quæquidem Commiſsio dicto vicesimo primo die mensis Maii proxime ſequeñ Incipiet et durante antedict ſeſsione Parliamenti et in ultimum usq; seſsionis ejusdem diem

inclusive in vigore durabit Et deniq, Declaramus hanc nostram Commiſsionem absq, prejudicio fore præfato Jacobo Duci de Queensberry cuivis alio Diplomati seu Commiſsioni de quocunq, alio munere a nobis ipsi concredito sed eadem durante hac nostra commiſsione ac etiam poſt ipsius expirationem in pleno continuare vigore modo in singulis Diplomatibus et Commiſsionibus ipsi conceſsis contento In cujus rei Testimonium præsentibus magnum Sigillum nostrum appendi Curavimus Apud aulam nostram de Hamptouncourt vigesimo quinto die mensis Aprilis Anno domini millesimo ſeptingentesimo et anno Regni nostri duodecimo. Per Signaturam manu S. D. N. Regis suprascript.

THE Rolls called.

THE Earl of Eglintoun in name of the Earl of Sutherland Protested for the precedencie of all Earls ranked before him in the Rolls of Parliament.

THE Earl of Mar Protested for the precedencie of all Earls Ranked before him in the Rolls of Parliament.

THE Earl of Mortoun Protested for the precedency of all Earls Ranked before him in the Rolls of Parliament.

THE Earl of Eglintoun Protested againſt the Calling of the Earl of Glencairn before him in the Rolls of Parliament.

THE Lord Jedburgh in name of the Earl of Lothian his father Protested againſt the Calling of the Earl of Roxburgh and others before him.

THE Viscount of Tarbat in name of the Earl of Seaforth Protested againſt the Calling of the Earl of Lauderdale and others before the Earl of Seaforth.

THE Earl of Findlater Protested against the calling of the Earl of Airlie before him.

THE Earl of Leven Proteſted againſt the calling of the Earl of Callendar before him.

A LETTER from His Majeſtie to my Lord Commiſsioner appointing the Lord Montgomery to sit and vote in this Seſsion of Parliament as Lord High Thesaurer Read, and ordered to be Recorded in the Books of Parliament And the Tenor thereof followes.

The Kings Letter appointing the Lord Montgomery to have the place and vote of Lord High Thesaurer

Sic suprascribitur WILLIAM R

RIGHT truſtie and right intirely beloved Couſin and Councillour We Greet you well Whereas the Office of Lord High Thesaurer is now in Commiſsion, And it being provided by the Laws of that our Kingdom that the number of our Officers of State who are to have vote and place in Parliament should not exceed the number of eight even though at any time there should be more perſons imployed in the Executions of the ſaid Offices And it being reaſonable that there should be one named to appear and act in the enſueing Seſsion of Parliament as our Treasaurer aforſaid Therefore We do nominat our Right Truſtie and Right well beloved Councillour Alexander Lord Montgomery to have the place and vote of the Lord High Treasurer in the ensueing Seſsion of Parliament And so We bid you heartily farewell Given at our Court at Hamptoun Court the 25th day of April, 1700, and of our Reigne the twelvth year

By His Majesties Command

Sic subscribitur CARMICHAELL

Directed on the back thus

To our Right truſtie and right entirely beloved Cousin and Councellor James Duke of Queensberry our Commiſsioner to our Parliament of our ancient Kingdom of Scotland

A LETTER from His Majeſtie to my Lord Commiſsioner, appointing the Viscount of Seafield principall Secretary of State to sit and vote in this Seſsion of Parliament as Lord Secretary, Read, and Ordered to be Recorded, Of which the tenor follows.

Sic suprascribitur WILLIAM R

His Majesties Letter appointing the Viscount of Seafield to have place & vote as Secretary of State

RIGHT trusty and right entirely beloved Cousin and Councillour We greet you well Whereas We have ordered both our Secretaries of State for that our Kingdom to repair thither and to be preſent at the ensueing Seſsion of our Parliament, And seing it belongs only to one of the Two Secretaries indefinitely to have place and vote in Parliament as an Officer of State Therefor We do nominat and appoint our Right Truſty and well beloved Cousin and Councellor James Viscount of Seafield to have place and vote and in all things to act in the enſueing Seſsion of Parliament as the Secretary Officer of State to whom We will have the said priviledges to belong pro hac vice allennarly And so We bid you heartily farewell, Given at our Court at Hamptoun Court the 25th day of April, 1700, and of our Reigne the 12th year

By His Majeſties Command

Sic subscribitur CARMICHAELL.

Directed thus

To our right trusty and right entirely beloved Cousin and Councellor James Duke of Queensberry our Commiſsioner to our Parliament of our ancient Kingdom of Scotland

PATENT upon the Resignation of Ann Dutches of Hamilton, creating James Earl of Arran her son Duke of Hamilton &c. was Read and Ordered to be Recorded Whereof the Tenor followeth.

Patent in favors of the Duke of Hamilton

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; Defensor Omnibus probis Hominibus suis ad quos presentes Literæ noſtræ pervenerint Salutem. Quandoquidem Nos Considerantes fideliſsimam et dilectiſsimam nostram Consanguineam Annam Duciſsam de Hamilton et Chaſtlerault Marchioniſsam de Clidsdale Comitiſsam de Arran Lanerk et Cambridge Dominam Aven Polmont Machanſhire et Inuerdale per Literam procuratoriæ manu ejus Signatam apud Hamilton nono die menſis Julii ultimo elapſi in hoc anno Millesimo sexcentesimo nonagesimo octavo propter sincerum amorem et favorem quem gerebat erga Jacobum Comitem de Arran filium ejus natu maximum et heredem apparentem ejuſq; succeſsorem in ipſius titulis honoribus et dignitatibus et propter alias cauſas et rationes ipſam suadentes potestatem et facultatem conceſsiſse procuratoribus suis Resigniandi et surſum Reddendi Titulum Dignitatem Gradum et Honorem Ducatus de Hamilton Marchionatus de Clydsdale Comitatus de Arran Lanerk et Cambridge Dominii de Aven Polmont Machanſhire et Inuerdale Cum univerſis et singulis prærogativis privilegiis præcedentiis et immunitatibus eo spectantibus in manibus nostris in favorem proq; nova donatione et diplomate per nos Concedenda de prædictis titulis dignitatibus gradibus et honoribus in favorem prædicti Jacobi Comitis de Arran et heredum mentionat in diplomate per sereniſsimum nostrum Avum Carolum ejus nominis primum beatæ memoriæ conceſso demortuo Jacobo Duci de Hamilton dato apud Oxfurd duodecimo die menſis Aprilis Anno Domini Millesimo sexcentesimo quadragesimo tertio Cum omnibus et singulis prerogativis præeminentiis præcedentiis privilegiis et immunitatibus ad eundem titulum dignitatem gradum et honorem spectantibus virtute antedicti diplomatis demortuo Jacobo Duci de Hamilton conceſsi similiter ac eodem modo ac si predictus Jacobus Comes de Arran in iisdem succederet per obitum dictæ Duciſsæ de Hamilton Cum hac omnimodo proviſione quod dicta Litera procuratoriæ et Resignatio desuper facta neqiaquam prejudicio erit dictæ Duciſsæ quoad ejus titulum et dignitatem ad ipſam spectantem tanquam viduam demortui Gulielmi Ducis de Hamilton ejus mariti nec quoad jus et privilegium quodcunq; quod eadem Duciſsa habet seu petere potest tanquam heres de Hamilton quod non specialiter eſt resignatum, in debita et competenti forma uti expedit prout dicta procuratoria Resignationis data ut prædicitur amplius in ſe proportat Nos etiam Considerantes quod hoc eodem die quo datæ sunt hæ noſtræ literæ Resignatio erat facta in manibus nostris virtute procuratoriæ suprascriptæ Quodq; nobis ex summa noſtra gratia eandem acceptare placuit ac has nostras literas desuper Concedere modo infra scripto Noveritis igitur Nos Dediſse et Conceſsiſse sicuti per haſce noſtras patentes literas Damus et Concedimus antedicto Jacobo Comiti de Arran et heredibus mentionatis in diplomate supra expreſso per dictum nostrum sereniſsimum avum dicto demortuo Jacobo Duci de Hamilton conceſso predictum titulum dignitatem gradum et honorem Ducis de Hamilton, Marchionis de Clydsdale, Comitis de Arran Lanerk et Cambridge Domini Aven Polmont Machanshire et Inuerdale Cum omnibus et singulis prærogativis præeminentiis præcedentiis dignitatibus privilegiis et immunitatibus ad eundem titulum dignitatem gradum et honorem spectantibus virtute diplomatis prædicti vel quorumcunq; aliorum dicto demortuo Jacobo Duci de Hamilton conceſs eodem modo ac si dicī Jacobus Comes de Arran in iisdem succeſsiſset per obitum dictæ Annæ Duciſsæ de Hamilton Cum hac proviſione sicuti per presentes literas providetur et declaratur per expreſsum Quod Resignatio supramentionata et hoc nostrum diploma nullo modo prejudicio erunt prædictæ Annæ Duciſsæ de Hamilton quoad ipſius titulum et dignitatem ad ipſam tanquam viduam demortui Gulielmi Ducis de Hamilton spectantem neque quoad jus aut privilegium quodcunq; quod eadem Duciſsa habet seu petere poterit tanquam hæres de Hamilton quod non speciatim resignatum eſt Tenendum et Habendum dictum titulum gradum honorem et dignitatem cum omnibus et singulis prærogativis præeminentiis præcedentiis privilegiis dignitatibus et immunitatibus eo spectantibus dicto Jacobo Comiti de Arran ejusq; prædicī de nobis noſtriſq; Succeſsoribus in omnibus et singulis Parliamentis Ordinum Conventibus Generalibus Conciliis privatis seu publicis Congreſsibus Cum jure loco et potestate Sedendi et in iisdem suffragium dandi Cum omnibus aliis privilegiis dignitatibus prærogativis et immunitatibus quibuſcunq; pertineñ vel quæ ad illum ejuſq; prædictos pertinere poterint virtute diplomatis supramentionati vel quorumcunq; aliorum dicto demortuo Jacobo Duci de Hamilton conceſs similiter eodemq; modo ac si in dicī titulo gradū honore et dignitate succederet per obitum dictæ Duciſsæ ejus matris In cujus rei Testimonium præsentibus magnum Sigillum noſtrum appendi præcepimus Apud Aulam noſtram de Loo Decimo die menſis Auguſti anno Domini Millesimo sexcentesimo nonagesimo octavo Regniq; noſtri anno decimo Per Signaturam manu S. D. N. Regis suprafignatam Written to the Great Seal and regiſtrat the Sixth day of September 1698 Sic subscribitur Charles Kerr Sealed at Edinburgh the Eight day of September 1698. Sic subscribitur A Home.

PATENT creating David Boyle of Kelburne Lord Boyle &c. was Read and Ordered to be recorded Of which the Tenor followes.

Patent to the Lord Boyle

GULIELMUS Dei Gratia Magnæ Brittanniæ Franciæ et Hiberniæ Rex fideiq; Defensor Omnibus probis Hominibus suis ad quos præsentes literæ nostræ pervenerint Salutem Quandoquidem Nos ex summa nostra gratia perpendentes officia perplurima et egregia per fidelissimum et dilectissimum nostrum Conciliarium Davidem Boyle de Kelburn in diversis muneribus a nobis ipsi concreditis præstita et peracta etiamq; fidelitatem perpetuam adhæsionem Juribus nostris firmam aliaq; ministeria insignia antiquæ familiæ de Boyle de Kelburne cujus nunc est supremus Ob hasce igitur singulasq; alias rationes durabilem gratiæ nostræ notam et characterem in eundem Davidem Boyle de Kelburne ejusq; heredes subscriptos conferre Statuimus unde in posterum ampliora etiam officia nobis nostrisq; Successoribus præstare et animentur et validiores reddantur Noveritis Nos Nominasse Constituisse et Creasse sicuti per presentes facse nostras patentes Literas Nominamus Constituimus et Creamus præfatum Davidem Boyle de Kelburne Dominum et liberum Parliamenti Dominum in antiquo Regno nostro Scotiæ Dominum Boyle de Kelburne Stuartoun Cumbrae Finnick Larges et Dalry &c. in posterum Appellandum et Designandum inque eundem Davidem Boyle de Kelburn et heredes masculos de ejus corpore quibus deficien ejus alios heredes masculos propinquiores quoscunq; Damus Concedimus et Conferimus titulum honorem gradum et dignitatem Domini et liberi Parliamenti Domini ut dictum est Cum plena potestate privilegio et authoritate illi ejusq; antedict gaudendi possidendi et fruendi eodem titulo cum omnibus et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq; eo attinentibus quibuscum Nos prænominatum Davidem Boyle de Kelburne ejusq; antedict Investimus et Nobilitamus Speciatim vero cum libero in parliamento Suffragio Tenendum et Habendum antedictum titulum honorem gradum et dignitatem Domini et liberi Parliamenti Domini cum omnibus et singulis prærogativis præcedentiis præeminentiis privilegiis et immunitatibus eo spectantibus per dictum Davidem Boyle de Kelburne ejusq; suprascript de nobis nostrisq; Successoribus in omnibus Parliamentis Ordinum Conventibus Conciliis generalibus privatis seu publicis Congressibus in dicto antiquo nostro Regno tam plenarie et libere in quovis respectu et conditione ac quilibet alius Dominus ac liber Parliamenti Dominus tali titulo honore et dignitate perprius potitus et gavisus est cum omnibus privilegiis eo spectantibus seu iisdem in futurum gaudere et uti poterit Leoni porro armorum Regi ejusq; fratribus fœcialibus Imperamus ut præfato Davidi Boyle de Kelburn nunc Domino Boyle de Kelburn Stewartoun Cumbrae Finnick Larges & Dalry &c. talia insignia armorea seu prioribus additamenta per eum ejusq; antedict utend qualia sibi et ipsis congrua et convenientia videbuntur ac similibus occasionibus usitata dent et præscribant Declaran per præsentes hoc nostrum Diploma præfato Davidi Boyle de Kelburn ejusq; antedict validum et efficax fore pro gaudendo dict titulo honore dignitate et gradu Domini et liberi Parliamenti Domini Cum omnibus et singulis prærogativis præeminentiis præcedentiis privilegiis et immunitatibus quibuscunq; eo attinentibus ac si cum omnibus ritibus et solennitatibus similibus occasionibus perprius usitatis Investiti et Inaugurati essent Quocirca Nos Dispensavimus perq; præsentes in perpetuum Dispensamus In Cujus Rei Testimonium præsentibus Magnum Sigillum nostrum appendi præcepimus Apud aulam nostram de Kensingtoun Tricesimo primo die mensis Januarii anno Domini Millesimo sexcentesimo nonagesimo nono Regniq; nostri anno decimo Per Signaturam manu S. D. N. Regis suprasignatam Written to the Great Seal and regrat the eight day of February 1699. Sic subscribitur Charles Kerr Sealed at Edinburgh the ninth day of February 1699. Sic subscribitur A Home.

THE Duke of Hamilton the Viscount of Seafield Lord Secretary, the Viscount of Stair, and the Lord Boyle took the oath of alleadgeance, and signed the same with the assureance and association and took the oath of Parliament.

THE Lord Lundoirs absent some Sessions of Parliament Signed the assureance and association, And the Lord Duffus and Robert Craig of Riccartoun one of the Commissioners for the shire of Edinburgh both absent the two last Sessions of Parliament Signed the association.

COMMISSION to Adam Cockburne of Ormistoun for being Lord Thesaurer Depute in place of the Lord Raith deceased was Read and Ordered to be Recorded, the Tenor wherof followes.

Commission to the Lord Thesaurer Depute

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; Defensor Omnibus probis Hominibus suis ad quos præsentes literæ nostræ pervenerint Salutem Quandoquidem Nos considerantes munus et officium Thesaurarii nostri Deputati in antiquo nostro Scotiæ Regno in manibus nostris vacare et ad donationem nostram existere per obitum Alexandri Domini Raith nuper nostri Thesaurarii Deputati dicti Regni Et Statuentes idem officium Concedere in fidelissimum et dilectissimum nostrum Conciliarum Adamum Cockburn de Ormistoun nuperum nostrum

Justiciarum Clericum tanquam ûsquequaq, Inſtructum pro dicto officio obeundo non solum ob fidelitatem et integritatem suam in diverſis muneribus publicis a nobis ipſi concreditis expreſsam verum ob sedulitatem diligentiam aliasq, insignes facultates Noveritis igitur Nos Nominaſse Feciſse Constituiſse et Ordinaſse sicuti per præsentes Nominamus Facimus Constituimus et Ordinamus eundem Adamum Cockburn de Ormistoun (durante noſtro duntaxat beneplacito) Thesaurarium noſtrum Deputatum in officiis Thesaurarii noſtri Computorum Rotulatoris et Thesaurarii novarum noſtrarum augmentationum et Receptoris Generalis dicti noſtri antiqui Regni Cum plenaria potestate illi dicto munere et officio durante spatio antedicto fruendi et excerendi Cum omnibus honoribus privilegiis libertatibus præeminentiis beneficiis et casualitatibus quibuscunq, eo spectantibus et pertinentibus tam libere et plene in omnibus reſpectibus et conditionibus quam præfatus demortuus Alexander Dominus Raith vel quivis alii ejus prædeceſsores in dicto officio functi et potiti sunt ullove tempore præterito fungi et potiri poterant Speciatim vero absq, præjudicio generalitatis antedictæ Locum et Suffragium tanquam uni ex noſtris Status officiariis in omnibus noſtris dicti Regni Parliamentis Generalibus Conciliis et Conventibus Habendi Ac Nos considerantes plenam potestatem et officium Thesaurarii nostri principalis nunc in Commiſsionem Theſaurarii verſam eſse Expreſse igitur Declaramus et Ordinamus quod hæc præsens noſtra Donatio dicti Officii Thesaurarii Deputati dictæ Commiſsioni nequaquam derogabit Quæquidem in plena poteſtate et vigore remanebit Et quod præfatus Adamus Cockburne de Ormiſtoun tanquam unus ex noſtris Commiſsionariis noſtri Theſaurarii exercebit Nominando Constituendo et Ordinando sicuti per præsentes Nominamus Constituimus et Ordinamus eundem Adamum Cockburne de Ormiſtoun unum eſse ex dicti Theſaurarii Commiſsionariis in vicem dicti demortui Alexandri Domini Raith tam plenarie et libere ad omnes intentus et proposita ac si in antedicta Commiſsione nominatus fuiſset Quod Declaramus sibi tanquam Thesaurario Deputato in quibuſvis privilegiis eo spectantibus nullo modo præjudicari si in poſterum durante Continuatione præsentis noſtræ Commiſsionis nominatus fuerit Thesaurarius principalis In cujus rei Teſtimonium præsentibus Magnum Sigillum noſtrum appendi præcepimus Apud aulam noſtram de Kenſingtoun Sexto die menſis Februarii anno Domini Millesimo sexcentesimo nonagesimo nono Regniq, noſtri anno Decimo. Per Signaturam manu S. D. N. Regis suprasignatam. Written to the Great Seal and Registrat the fourteenth day of February 1699 Sic subſcribitur Charles Kerr Sealed at Edinburgh the fourteenth day of February 1699. Sic subscribitur A Home.

COMMISSION to Sir John Maxwell of Pollock to be Lord Juſtice Clerk in place of Ormiſtoun Read and Ordered to be Recorded, And the tenor thereof followes.

Commiſsion to the Lord Juſtice Clerk

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, Defenſor omnibus probis Hominibus suis ad quos præsentes literæ noſtræ pervenerint Salutem Quandoquidem Nos Regio noſtro animo perpendentes per Commiſsionem fideliſsimo et dilectiſsimo noſtro Conciliario Adamo Cockburn de Ormiſtoun de officio Thesaurarii noſtri deputati antiqui Regni noſtri Scotiæ munus et officium Juſticiarii noſtri Clerici in dicto Regno noſtro in manibus noſtris vacare et ad donationem et diſpoſitionem noſtram exiſtere Et Nos abunde satisfacti de fidelitate et integritate fideliſsimi et dilectiſsimi noſtri Conciliarii Domini Joannis Maxwell de Pollock militis Baronetti ejuſq, sedulitate diligentia aliiſq, præclaris facultatibus unde usquequaq, est idoneus pro Exercendo munere et officio antedicto Noveritis igitur Nos Nominaſse et Feciſse Constituiſse et Ordinaſse tenoreq, præsentium Nominare Facere Constituere et Ordinare eundem Dominum Joannem Maxwell de Pollock durante noſtro beneplacito duntaxat noſtrum Justiciarium Clericum, Dando et Concedendo præfato Domino Joanni Maxwell durante spatio antedicto dictum munus et officium Juſticiarii Clerici Cum omnibus honoribus privilegiis immunitatibus feodis proficuis et caſualitatibus quibuſcunq, eo spectantibus per eum tam plenarie et libere in quovis reſpectu et conditione gaudendum et poſsidendum ac dictus Adamus Cockburn de Ormiſtoun vel quivis aliquis in dicto officio anteceſsores eodem gavisi sunt seu gaudere potuiſsent In Cujus Rei Testimonium Præsentibus Magnum Sigillum noſtrum Appendi præcepimus Apud aulam noſtram de Kensingtoun Sexto die menſis Februarii anno Domini Millesimo sexcentesimo nonagesimo nono et anno Regni noſtri Decimo. Per Signaturam manu S. D. N. Regis suprasignatam. Written to the Great Seal and Regiſtrat the fourteenth day of February 1699 Sic subscribitur Charles Kerr. Sealed at Edinburgh the fourteenth day of February 1699 Sic subſcribitur A Home.

[Oath of Parliament taken]

THE Lord Thesaurer Depute and Lord Juſtice Clerk took the Oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation, and took the oath of Parliament.

SIR John Johnstoun of Westerhall Commiſsioner for the Shire of Dumfreis Robert Pollock of that Ilk for the Shire of Renfrew and Thomas Sharp of Houstoun for the Shire of Linlithgow all new Elected took the oath of alleadgeance Signed the same with the aſsurance and aſsociation, and took the oath of Parliament.

MR James Hamilton Commiſsioner for the Toun of Dumfermling and Mr James Campbell for the Toun of Renfrew both new Elected took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation, and took the oath of Parliament.

[Burgh of Kirkcudbright]

COMMISSION to Sir Andrew Hume for Repreſenting the Toun of Kirkcudbright, preſented and read, And after some Objections moved and a Reſerve made of an inquiry if his Electors were duely qualified, the said Sir Andrew was admitted, and took the oath of alleadgeance, Signed the ſame with the aſsureance & aſsociation, and took the oath of Parliament.

ORDERED that the Magiſtrats and Councill of the Burgh of Kirkcudbright be Cited to appear before the Parliament in order to the said inquiry.

[The Lord Montgomery]

A DEBATE being moved anent the Lord Montgomery his being appointed to Sit and Vote as Lord High Thesaurer this Seſsion of Parliament, After produceing of the Records and reading of the declaration made by King James the Sixth in the Parliament 1617 anent the Officers of State his Lordſhip did take the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

[Burgh of Whithorn]

OBJECTED againſt the Commiſsion preſented for David Stuart to repreſent the Burgh of Whithorn in place of Patrick Murdoch vacant by his not ſigneing the aſsociation, That the said Patrick had duely ſigned the ſame, And the matter Remitted to the Committie to be choſen for contraverted Elections.

THE Kings moſt gracious Letter to the Parliament, preſented by his Majeſties high Commiſsioner was read, and ordered to be recorded Whereof the tenor followes.

Sic ſuprascribitur WILLIAM R.

My Lord and Gentlemen,

The Kings Letter to the Parliament

THE great deſire we have to promote and advance the intereſt of that our ancient Kingdom did make us intend to have held this Seſsion of Parliament in perſon that we might the more clearly have diſcerned what is yet needfull to be done for the full eſtabliſhment of your Religion Laws and Liberties, And as our deſigne in comeing to Britain was the relief and happineſs of the three Kingdomes ſo we are firmly reſolved to make it the chief deſigne of our Reign to do every thing that may tend to the advantage and good of our Subjects.

THE preſent circumſtances of our affairs abroad not allowing of our being with you at preſent We have appointed our right trusty and right intirely beloved Cousin and Counsellor James Duke of Queensberry to represent our royall person and to be our Commiſsioner in this Seſsion. We are fully satisfied with his fitneſs and ability for discharging this trust, And We doubt not but his constant Loyalty to us since our Acceſsion to the Crown, and his zeal and fidelity for our Service and the proſperity and good of the Kingdom which has appeared on all the occasions and in all the trusts wherein he hath been imployed will render him acceptable to you.

WE have fully instructed him in all things that We think may fall under your consideration and seems to be neceſsary at preſent, therefor We desire that you may give him intire trust and credit.

THE breaking out of war in ſome places of Europe, the great arming by sea and land, the uncertain ſtate of the publict peace, and the continued designs of our enemies both at home and abroad, can not but convince you that it is necessary for your own safety that the forces be maintained And We expect that you will chearfully supply us with sufficient funds for that end.

WE are heartily sorry for the misfortunes and loſses that the nation has ſuſtained in their trade and we will effectually concur in any thing that may contribute for promoting and encourageing of trade that being ſo indiſpenſibly needfull for the wellfare of the Nation And We do particularly recommend to you the encourageing of manufactures and the improvement of the native product of the Kingdom which is not only the ſureſt foundation of forraign Trade but will be an effectual way for provideing and employing the poor, whoſe circumſtances require your consideration and aſsiſtance.

WE give you full aſsurance that We will maintain your Religion Laws and Liberties, and Presbiterian Government as it is eſtabliſhed And it will be moſt acceptable to us that you fall upon effectual methods for preventing the grouth of Popery and diſcourageing vice and immorality.

WE have had many eminent proofs of your Loyalty and good affection to us particularly in all your proceedings in the laſt Seſsion for which we return you our hearty thanks, And seing We have demanded nothing of you upon this occaſion but what is both neceſsary for your preſervation againſt the deſigns or attempts of your enemies and for promoteing the wellfare and advantage of the Nation Therefor We doubt not but you will act with unanimity and diſpatch so as all that comes

before you may be concluded to the mutual ſatisfaction of us and our people And aſsureing you of our Royal favour and protection We bid you heartily farewell Given at our Court at Hamptoun Court the Twenty fifth day of April 1700, and of our Reign the twelvth year

By His Majesties Command

Sic subscribitur CARMICHAEL.

[To the Lords Temporall, And the Commiſsioners for Shires and Burghs aſsembled in Parliament in our ancient Kingdom of Scotland]

[The Commiſsioner & Chancellors Speeches]

HIS Majesties high Commiſsioner made his speech to the Parliament Thereafter the Lord Chancellor made his speech to the Parliament.

A MOTION being made for printing his Grace the Commiſsioners speech and the Lord Chancellours speech, the same was ordered accordingly.

[Orders of the House]

THE Orders of the Houſe appointed to be printed and affixt on the uſual places.

MOVED that a Committie be choſen one of each ſtate to Reviſe the Minuts of Parliament this Session, and Agried to.

A MOTION made that there are ſeverall vacancies for Shires and Burghs which ought to be supplied viz. the Shire of Peebles vacant by the deceiſs of Sir Archbald Murray of Blackbarony The Shires of Bute and Renfrew by the Lord Boyle and Juſtice Clerk their promotion, The Shire of Nairn by the deceiſs of the Laird of Calder younger, The Shires of Dumbartoun Stirling Clackmannan and Kinroſs, And the Burgh of Linlithgow vacant through William Colquhoun of Craigtoun, Alexander Napes of Culcreoch, the Laird of Clackmannan, and Sir David Arnot of that Ilk, and William Higgins, their not ſigneing the aſsociation.

WHEREUPON the following Warrands for new elections to be made in the said Shires and Burgh were Ordered to be iſſhued out in the uſual form.

Warrand to Elect a Commiſsioner for the Shire of Peebles

HIS Majesties high Commiſsioner and the Eſtates of Parliament in respect of the deceaſe of Sir Archbald Murray of Blackbarony formerly one of the Commiſsioners to this preſent Parliament for the Shire of Peebles Grant order and warrand to the Sheriff principal of the said Shire or his deputes to call together the freeholders within the said Shire on Tuesday next being the twenty eight day of May inſtant to the uſual place of meeting to the effect they may chooſe ane Commiſsioner to the Parliament in vice of the ſaid Sir Archbald Murray deceaſed And ordains intimation hereof to be made in the usual manner.

Warrand to Elect a Commissioner for the Shire of Clackmannan

HIS Majesties high Commiſsioner and the Eſtates of Parliament in respect that David Bruce of Clackmannan Commiſsioner to this preſent Parliament for the Shire of Clackmannan has not signed the aſsociation appointed to be ſigned by all members of Parliament Do Grant Order and Warrand to the Sheriff principal of the said Shire or his deputes to call the freeholders of the said Shire together on Tuesday next the twenty eight day of May inſtant to the uſual place of their meeting to the effect they may choiſe a Commiſsioner to the said Parliament in place of the said David Bruce And ordains intimation to be made hereof in the uſual manner.

Warrand to Elect a Commissioner for the Shire of Kinroſs

HIS Majesties high Commiſsioner and the Eſtates of Parliament in respect that Sir David Arnot Commiſsioner to this preſent Parliament for the ſhire of Kinroſs has not ſigned the aſsociation appointed to be Signed by all members of Parliament Do Grant order and Warrand to the Sheriff prin^{tt} of the said ſhire and his deputes to call together the freeholders of the said ſhire on Tuesday next the twenty eight of May inſtant to the uſual place of their meeting to the effect they may choiſe a Commiſsioner to the said Parliament in place of the said Sir David Arnot, And ordains intimation hereof to be made in the uſual manner.

Warrand to Elect a Commissioner for the Shire of Dumbarton

HIS Majesties High Commiſsioner and the Eſtates of Parliament in respect that William Colquhoun of Craigtoun one of the Commiſsioners for the ſhire of Dumbartoun has not ſigned the aſsociation appointed to be ſigned by all members of Parliament They Grant Order and Warrand to the Sheriff principal of the ſaid Shire and his Deputes to call the freeholders of the ſaid Shire together on Thursday the thirtyeth day of May inſtant to the uſual place of meeting to the effect they may choiſe a Commiſsioner to the said Parliament in place of the said Laird of Craigtoun And Ordaines intimation to be made hereof in the uſual manner.

Warrand to Elect a Commissioner for the Shire of Stirling

HIS Majesties high Commiſsioner and the Estates of Parliament in respect that Alexander Naper of Culcreoch one of the Commiſsioners to this preſent Parliament for the Shire of Stirling has not signed the aſsociation appointed to be signed by all the members of Parliament Have Granted and hereby Grant Order and Warrand to the Sheriff principal of the said Shire or his deputes to Call

the freeholders of the ſaid Shire together on Thurſday the thirtieth day of May inſtant to the uſual place of their meeting to the effect they may choſe a Commiſsioner to the said Parliament in vice of the ſaid Alexander Naper and Ordain intimation to be made hereof in the uſual manner.

Warrand to Elect a Commissioner for the Sheriffdom of Renfrew

HIS Majesties High Commiſsioner and the Estates of Parliament in respect that Sir John Maxwell of Pollock formerly one of the Commiſsioners to this preſent Parliament for the ſhire of Renfrew is now advanced to the office of Lord Juſtice Clerk Do Grant Order and Warrand to the Sheriff principal of the said Shire or his deputes to Call the freeholders of the said ſhire together upon Saturnday the firſt day of June next at the uſual place of meeting to the effect they may choſe a Commiſsioner to the ſaid Parliament in vice of the ſaid Sir John Maxwell now Lord Juſtice Clerk, And Ordains intimation to be made hereof in the uſual manner.

Warrand to Elect a Commissioner for the Shire of Bute

HIS Majesties High Commiſsioner and the Estates of Parliament in respect of David Boyle of Kelburn his being advanced to the dignity of ane Lord formerly one of the Commiſsioners to this preſent Parliament for the ſhire of Bute Grant Order and Warrant to the Sheriff principal of the ſaid Shire or his deputes to Call the freeholders of the ſaid ſhire together on Thurſday the ſixth of June next to the uſual place of their meeting to the effect they may choiſe ane Commiſsioner to the ſaid Parliament in vice of the said Lord Boyle And Ordaines intimation hereof to be made in the uſual manner.

Warrand to Elect a Commissioner for the Shire of Nairn

HIS Majesties High Commiſsioner and the Eſtates of Parliament in respect of the deceaſe of the Laird of Calder younger formerly one of the Commiſsioners to this preſent Parliament for the ſhire of Nairne Do Grant Order and Warrand to the Sheriff principal of the said Shire or his Deputes to call the freeholders of the said Shire together on Thurſday the Sixth of June next at the uſual place of meeting to the effect they may choice a Commiſsioner to the said Parliament in vice of the ſaid Laird of Calder And Ordains intimation hereof to be made in the uſual manner.

THE Lord Chancellar Intimate that at the next Sederunt the Parliament are to proceed to chuſe the uſual Committies.

THE Lord Chancellar by order of His Majeſties High Commiſsioner adjourned the Parliament till Friday nixt at ten of the clock.

MAY XXIV, M,DCC.

PRAYERS said Rolls called.

THE Lord Pitsligo took the oath of alleadgeance, Signed the same with the aſsurance and aſsociation and took the oath of Parliament.

THE Lord Kinnaird being abſent ſome Seſsions of Parliament Signed the aſsurance and aſsociation.

ALEXANDER Stivenſon Commiſsioner for the Burgh of Kilreny being absent the two laſt Seſsions of Parliament Signed the aſsociation.

ARCHBALD Douglas of Cavers Commiſsioner for the Shire of Roxburgh and Alexander Gordon of Gaithie Commiſsioner for the Shire of Sutherland both new elected Took the oath of alleadgeance, Signed the same with the aſsurance and aſsociation, and took the oath of Parliament.

THE Orders of the Houſe read.

An Addition to the orders of the Houſe

THE Lord High Conſtables deputes allowed to be preſent at the meetings of Parliament, and this appointed to be added to the Orders of the Houſe.

MINUTS of the laſt Sederunt read.

A MOTION being made for printing the Kings Letter to the Parliament The same was ordered accordingly.

ORDERED that a new Warrand be iſhued out for electing a Commiſsioner for the Burgh of Linlithgow in place of Mr William Higgins now an actual Miniſter of the Goſpel founded upon the dimiſsion of his place and the Touns application, (in reſpect it is now inſtructed that Mr William Higgins had duely ſigned the aſsociation, so there was no vacancy on that account) and Tueſday next appointed for makeing the ſaid election.

Warrand to Elect a Commiſsioner for the Burgh of Linlithgow

ANENT the Petition of the Proveſt Baillies Councill and Community of the Burgh of Linlithgow Humbly Shewing unto the Lord High Commiſsioner and the honourable Eſtates of Parliament That where Mr William Higgins was choſen Commiſsioner for the Petitioners to the preſent current Parliament who in regaird of his now entering to the Miniſtrie of the Goſpel and being a licenſed preacher thereof he hath therefor made dimiſsion of his said Commiſsion in the hands of his Grace and the honourable Eſtates of Parliament as the ſamen produced with the said Petition bears As also has certiorat the Petitioners

thereof by another dimiſsion in their hands as the extract thereof alſo produced with the ſaid petition has teſtified So that the Petitioners humbly conceived it was their duty to apply to his Grace and the honourable Eſtates and to repreſent that their said Commiſsion is now vacant and seeing they cannot Supply the ſame without special warrand for that effect And therefor craveing his Grace and the honourable Eſtates of Parliament to authorize and warrand the Petitioners to Elect and Chooſe a Commiſsioner for repreſenting them in this current Parliament as the ſaid Petition bears Which Petition-His Majesties High Commiſsioner and the Eſtates of Parliament haveing conſidered and likewayes haveing conſidered the ſaid Mr William Higgins his dimiſsion in Parliament founded upon his being now an actual Miniſter of the Goſpel and alſo an Extract of his dimiſsion in the hands of the ſaid Petitioners all produced with their ſaid Supplication They have Suſtained and hereby Suſtain the ſaid Mr William Higgins his dimiſsion And have Granted and hereby Grant order and warrand to the said Petitioners to Elect and choice an Commiſsioner for repreſenting them in this Parliament, at Linlithgow upon Tueſday next the twenty eight inſtant, And that intimation thereof be made in the usual manner.

[Committies] MOVED that the Estates might ſeperat and make election of their ordinary Committies.

MOVED that the Act of Parliament 1690 anent the conſtitution of Committies of Parliament might be read, and the ſame was read accordingly.

[Colony of Caledonia] MOVED that the affair of Caledonia as a National concern may be first taken into conſideration, Moved alſo that the affair of Religion and the preventing of the grouth of Popery may be preferred Which was agried to, And several other motions being likewayes made it was insisted on that the affair of Caledonia be preferred next to that of Religion, The farder conſideration of the ſaid motions were delayed till the Committies were choſen.

[Motions & Overtures] RESOLVED that all motions and overtures be firſt made in plain Parliament and that no motion or overture come in from any of the Committies but upon matters firſt remitted to them by the Parliament.

[Committies chosen] ORDERED that the Committie for Security of the Kingdom conſiſt of nine of each State The Committie for Trade of seven of each State, The Committie for contraverted elections of fyve of each State The Committie for returning an anſwer to the Kings Letter of one of each State And that one of each State be named for reviſeing the Minuts of this Seſsion of Parliament Whereupon the Eſtates having separat to their uſual places, they returned and reported their several elections as followes.

For Security of the Kingdom

OF the State of the Nobility the Earl of Melvill Lord President of the Secret Councill, the Earls of Argyle, Erroll, Mar, Lauderdale, Loudoun, Leven, Annandale, and the Lord Carmichael, Of the State of Barons Robert Craig of Riccartoun Sir John Hume of Blackadder William Bennet of Grubbet Sir Francis Scot of Thirlestaine William Baillie of Lamingtoun Sir Thomas Burnet of Leyes Ludovick Grant of that Ilk James Broddie of that Ilk, and Sir William Anſtruther of that Ilk Of the Commiſsioners for Burghs Sir Robert Chiesly, Sir Archbald Muir, Mr John Murray Sir James Smollet Mr Robert Stuart Mr David Dalrymple Sir John Hamilton Sir Hugh Dalrymple Sir William Hamilton.

For Trade

OF the Nobility the Earls of Aboyne and Kintoir the Viſcount of Tarbat the Lords Forbes Jedburgh Ruthven and Boyle Of the Barons William Moriſone of Preſtoungrange Sir John Houſtoun of that Ilk Patrick Murray of Livingstoun James Moir of Stonywood, George Broddie of Aſliſk, James Scot younger of Logie Sir Adam Gordon of Dalfolly Of the Commissioners for Burghs James Fletcher, John Anderſon for Glasgow John Muir for Air Robert Johnstoun, Mr Alexander Cunningham Mr William Johnstoun and Hugh Broun.

For Contraverted Elections

OF the Nobility the Earls of Glencairn Findlater and Carnwath, the Lords Jedburgh and Bellenden Of the Barons William Hepburn of Beinſtoun, Sir James Scot of Gala James Pringle of Torewoodlie William Mackdowal of Garthland and Thomas Sharp of Houſtoun Of the Commiſsioners for Burghs Mr Francis Naper Sir Andrew Home Mr James Campbell Mr John Lyon and Sir Robert Stuart.

For Answering the Kings Letter

OF the State of Nobility the Earle of Argyle Of the Barons the Laird of Grant Of the Commiſsioners for Burghs Sir Hugh Dalrymple.

For Reviſeing the Minuts of this Seſsion of Parliament

OF the Nobility the Viſcount of Tarbat, Of the Barons Sir John Lauder of Fountainhall Of the Commiſsioners for Burghs Mr David Dalrymple

Warrand for the Justice Court & inferior Courts to sit

WARRAND Granted for the Sitting of the Justice Court, and the inferior Courts dureing this Seſsion of Parliament, notwithſtanding of the Sitting of the Parliament.

THE Lord Chancellor by order of His Majesties High Commiſsioner Adjourned the Parliament till Munday next at ten of the Clock.

MAY XXVII, M,DCC.

PRAYERS said Rolls called.

THE Earl of Selkirk Excuſed by his Grace His Majeſties High Commiſsioner in reſpect of his neceſsary abſence in attending the Kings perſon.

COMMISSION by the Earl of Selkirk Lord Regiſter to Mr Alexander Gibſon one of his depute Clerks of Parliament to preſent signe and officiat for him dureing his abſence this Seſsion of Parliament Preſented and Ordered to be recorded, Of which the tenor followes.

Commiſsion by the Clerk Register to Mr Alex^r^ Gibſon

WE Charles Earl of Selkirk &c. Clerk to His Majeſties Council Regiſters and Rolls Forasmuch as our attendance on his Majeſties perſon doth hinder us from being perſonally preſent to ſerve in the enſueing Seſsion of this current Parliament And to the effect His Majestie and his Leidges may be served with one to Supply us in receiveing Proteſtations preſenting and ſigneing of papers and doing all other ſervice neceſsary in Parliament Therefore We have Nominated Appointed and Commiſsionat and by thir preſents Nominat Appoint and Commiſsionat Mr Alexander Gibson one of our Deputy Clerks in Parliament in our vice and place dureing our abſence in this enſueing Seſsion of Parliament to Receive Proteſtations Preſent and Sign papers and to act & do all other things neceſsary in the ſaid Seſsion of Parliament as we might do our self if we were perſonally preſent And the which to do We commit to the ſaid Mr Alexander Gibſone our full Warrant and Commiſsion by theſe preſents Conſenting to the Regiſtration hereof in the Books of Parliament therein to remain for conſervation And for that effect Conſtitute Our Pro^rs^ &c. In witnes whereof (written be John Chalmer of London Scrivener) We have Subſcrived theſe preſents At London the ſixth day of May I^m^ vij^c^ years Before thir witneſses Alexander Gawn of Weſtminſter Gentleman and the ſaid John Chalmer Writer hereof Sic ſubſcribitur Selkirk Cl : Reg^tri^ A. Gawne Witneſs John Chalmer Witneſs.

THE Earl of Forfar Excuſed by His Majeſties High Commiſsioner in respect of his indiſpoſition.

THE Lord Colvile took the oath of alleadgeance, Signed the same with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

[Seſsion adjourned]

MOVED that by reaſon of the Sitting of the Parliament the Seſsion which Commences the firſt day of June next may be for ſometime adjourned; And Resolved that an act be prepared and brought in for adjourning the ſame.

[Overtures for Acts to be made]

OVERTURES for Acts to be made viz. An Act for the Protestant Religion and Preſbiterian Government in the Church as now eſtabliſhed, Ratifieing all Laws made in their favors, An Act for preventing the grouth of Popery with ſuch additions as ſhall be found neceſsary, And an Act for the more effectual execution of the Laws made for suppreſsing vice and immorality, all read and Remitted to the Committie for Security.

[Colony of Caledonia]

A REPRESENTATION and Petition of the Councill General of the Company tradeing to Africa and the Indies, Read, whereby it was Craved that His Majeſties High Commiſsioner and the Eſtates of Parliament do take the several matters of fact therein repreſented into their moſt serious conſideration, to Vindicat Support and Protect them in the enjoyment of their lawfull priviledges both as a Company and as Subjects of this free and independent Kingdom to take ſuch meaſures as they in their profound wiſdom may judge moſt effectual for repairing the many damnages the Petitioners have already ſuſtained and for aſsiſting them in the further proſecution of their Companys lawfull deſigns But more eſpecially for maintaining of their juſt right and title to the ſettlement of Caledonia and the enjoyment of ſuch advantadges as if duely protected may probably ariſe thereby.

PETITION for the Heritors of the Sheriffdom of Eaſt Lothian preſented by the Barons repreſenting the said ſhire was read in Parliament whereby they Craved that effectual course may be taken for curbing of vice and putting in execution the Laws for maintaining & employing the poor and for encourageing manufactories at home and carrieing on the trade abroad with advantage to lay on ſuch impoſitions on the import as may overbalance the export and particularly that of France And to aſsert the Indian and African Companys right to

their Colony of Caledonia which has been and still is unjuſtly called in queſtion and to give Support to it And to relieve the Countrey of ſuch a great number of forces every way ſo uneaſie to them and in lieu thereof to fall upon such other methods for Security of the peace and Support of the Government as may be more for the intereſt of the Kingdom and conſiſtent with the Liberty of the Subject.

PETITIONS from the Shires of Roxburgh Lanerk Stirling and Perth and from the Burghs of Haddingtoun Coupar and Dunbar all Craveing that effectuall methods may be taken for aſſerting and vindicating the Companys right to the Colony of Caledoñia and relateing to the other affairs therein mentioned being all preſented by the Barons and Burgeſſes repreſenting the ſaid several Shires and Burghs were all read.

[Depredations on some Inhabitants of Wigton]

A COMPLAINT made of certain abuſes and depredations Committed by John Bartier and Carletoun Captains of two Engliſh Sloups upon the houſes and boats of some of the inhabitants of Wigtoun and on the barks and ships anchoring in Lochryan, And the Depoſitions of ſome witneſſes taken before the Sheriff of Wigtoun for verifieing the Complaint being produced and read were ordered to ly on the table.

[Colony of Caledonia]

MOVED that there be an Resolve of Parliament that our Colony of Caledonia in Darien is a legal and rightfull Settlement in the terms of the Act of Parliament One thousand six hundreth and ninety five years, And that the Parliament will Maintain and Support the ſame, And that there be an Act brought in the next Sederunt accordingly, Which motion being produced in writeing was read.

THE Committie for Security ordered to meet to morrow at ten of the clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Thursday next at ten of the clock.

MAY XXX, M,DCC.

PRAYERS said Rolls called

THE Lord Roſs Protested against the calling of the Lord Elphingſtoun and all other Lords ranked before him in the Rolls of Parliament.

THE Earl of Caſsills being absent the two laſt Seſsions of Parliament Signed the aſsociation.

THE Earl of Kellie and Viſcount of Strathallan took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

SIR Alexander Murray of Blackbarrony one of the Barons repreſenting Peebles and Sir John Erſkine of Alva for the Shire of Clackmannan took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

WALTER Stuart Commiſsioner for the Burgh of Linlithgow took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

MOVED that Patrick Murdoch Commiſsioner for the Burgh of Whitehorn who was abſent the two laſt Seſsions of Parliament be now admitted to sign the aſsociation, and that notwithstanding of the new Commiſsion granted to David Stuart of Phiſgill, and the ſame agried to, and he ſigned accordingly.

HIS Grace His Majesties High Commiſsioner made a speech to the Parliament.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Thurſday the Twentieth of June next at ten of the clock before noon.

Apud Edinburgh,

XXIX DIE OCTOBRIS, A. D. M,DCC.

THE NINTH SESSION of the FIRST PARLIAMENT of Our most High and Dread Soveraign WILLIAM by the Grace of God King of SCOTLAND ENGLAND FRANCE and IRELAND Defender of the Faith Holden and Begun at Edinburgh upon the twenty ninth day of October One thouſand and seven hundred years by His Grace James Duke of Queensberry Marques of Drumfreis ſhire Earl of Drumlangrig and Sanquhar Viscount of Nith Torthorald and Roſs Lord Douglas of Kinmount Midlebie and Dornoch &c. Lord Privy Seal of the Kingdom of Scotland one of the Lords of His Majesties moſt honourable Privy Councill Thesaury and Exchequer an extraordinary Lord of Seſsion and one of the Gentlemen of His Majeſties Bed Chamber His Majesties High Commissioner for Holding the ſame By vertue of a Commiſsion under His Majesties Great Seal of this Kingdom with the special advice and conſent of the Estates of Parliament underwritten.

ROLL of the Nobility Barons and Burgeſses preſent in Parliament

The EARL OF MARCHMONT LORD HIGH CHANCELLAR

The Lord Montgomery as Lord High Thesaurer

The Earl of Melvill Lord President of the Secret Councill

DUKE of

Hamilton

MARQUESSES of

Atholl
Tweddale

EARLS of

Argyle
Crauford
Mariſhal
Sutherland
Mar
Rothes
Mortoun
Buchan
Glencairn
Eglintoun
Caſsills
Strathmore
Galloway
Lauderdale
Lothian
Loudoun
Dalhouſsie
Findlater
Carnwath
Leven
Annandale
Northeſk
Forfar
Aboyne
Kintoir
Broadalbine
Tullibardine
Ruglen
March

VISCOUNTS of

Seafield Lord Secretary
Tarbat
Strathallan
Stair
Duplin
Roſeberry

LORDS

Carmichael Lord Secretary
Forbes
Saltoun
Elphingstoun
Roſs
Lundoirs
Blantyre
Burghlie
Jedburgh
Rae
Forreſter
Pitsligo
Frazer
Bargeny
Elibank
Belhaven
Duffus
Rollo
Colvill
Ruthven
Bellenden
Kinnaird
Boyle
Portmore

The LORDS

Advocat
Thesaurer Depute
Juſtice Clerk

COMMISSIONERS FROM THE BARONS

For the Shires of

Edinburgh
Sir Alexander Gilmor of Craigmiller
Sir John Clerk of Pennycook
Robert Craig of Riccartoun
Robert Dundas of Arniestoun

Haddingtoun
Sir Robert Sinclair of Stivenstoun
Sir John Lauder of Fountainhall
William Morifon of Preftoungrange
William Hepburn of Beinstoun

Berwick
Sir John Home of Blackadder
Sir John Swintoun of that Ilk
George Baillie of Jerviswood

Roxburgh
William Bennet younger of Grubbet
John Scot of Well
James Scot of Gala
Archbald Douglas of Cavers

Selkirk
Sir Francis Scot of Thirlestain
James Pringle of Torwoodlie

Peebles
Sir Alexander Murray of Blackbarony
Alexander Horfeburgh of that Ilk

Lanerk
William Baillie of Lamingtoun
Sir William Denholm of Weftfhiells
James Hamilton of Aikenhead
Sir William Stuart of Caftlemilk

Dumfreis
Alexander Johnstoun of Elfhiefhiells
Sir Thomas Kilpatrick of Clofburn
William Crichtoun of Craufordtoun
Sir John Johnftoun of Weſterhall

Wigtoun
Mr William Stuart of Caftlestuart

Air
Mr Francis Montgomery of Giffins
John Crauford of Kilbirny
Major Hugh Buntein of Kilbride
Mr John Campbell of Shankstoun

Dumbartoun
Claud Hamilton of Barns
John Halden of Gleneagles

Bute
Mr William Stuart of Ambrifmore

Renfrew
Robert Pollock of that Ilk
Alexander Porterfield of that Ilk
Mr John Stuart younger of Blackhall

Stirling
Sir John Houstoun of that Ilk
Sir Alexander Monro of Bearcrofts
Sir John Shaw of Greenock

Linlithgow
Patrick Murray of Livingftoun
Thomas Sharp of Houftoun

Perth
Sir Coline Campbell of Aberruchill
Adam Drummond of Megginfh
Robert Hay of Strowie
Mr James Craigie younger of Dumbarny

Kincairdine
Sir Thomas Burnet of Leyes
Alexander Arbuthnot of Knox

Aberdeen
Sir John Forbes of Craigievar
James Moir of Stonywood
Sir Samuel Forbes of Foveran
Mr James Elphingftoun of Logie

Inverness
Ludovick Grant of that Ilk
Duncan Forbes of Culloden

Nairn
George Broddie of Aslifk
Hugh Rofs of Kilraick

Cromarty
Mr Kenneth Mackenzie of Cromarty
Mr Roderick M'Kenzie of Preftounhall

Argyle
Sir Colin Campbell of Ardkinglafs
Sir John Campbell of Carrict
Mr John Campbell of Mammore

Fyfe
Sir William Anstruther of that Ilk
Sir John Dempfter of Pitliver
Mr James Melvill of Hallhill
George Moncrief of Reiddie

Forfar
James Scot of Logie
Mr James Carnegie of Phinhaven
Robert Reid of Baldovie
James Scot younger of Logie

Bamf
Sir James Abercrombie of Birkenboig
Alexander Duff of Bracoe

Stewartry of Kirkcudbright
Hugh Mackguffock of Rufcoe
Patrick Dumbar of Machrimore

Sutherland
Alexander Gordon of Gaithy
Mr John Gordon younger of Carrill

Caithness
Patrick Murray of Pennyland

Elgine
James Broddie of that Ilk
Alexander Dunbar of Weftfield

Stewartry of Orkney
Sir William Craigie of Gairfey

Clackmannan
Sir John Erfkine of Alva

Rofs
Sir Alexander Mackenzie of Coul

Kinrofs
Sir David Arnot of that Ilk

COMMISSIONERS FOR THE BURGHS of

Edinburgh	Sir Robert Chieslie Alexander Thomſon
Perth	Robert Smith
Dundie	James Fletcher
Aberdeen	Robert Cruikſhank
Stirling	Mr Francis Naper
Linlithgow	Walter Stuart
Saint Andrews	James Smith
Glasgow	John Anderson
Air	John Muir
Haddingtoun	Alexander Edgar
Dysart	Alexander Swintoun
Kirkcaldie	John Boiswell
Montroſe	James Muddie
Couper	Sir Archbald Muir
Anſtruther Easter	Patrick Murray
Dumfreis	Robert Johnſtoun
Inverneſs	John Cuthbert
Bruntisland	Alexander Ged
Inuerkeithing	James Spittle
Kinghorn	Patrick Wallace
Breichen	Francis Moleſon
Irving	Mr Alexr Cunningham
Jedburgh	Walter Scot
Kirkcudbright	Sir Andrew Home
Wigtoun	William Cultran
Dumfermling	Mr James Hamilton
Pittenweem	George Smith
Selkirk	Mr John Murray
Dunbritton	Sir James Smollet
Renfrew	Mr James Campbell
Dunbar	Robert Faw
Lanerk	Thomas Hamilton
Aberbrothock	Patrick Steven
Elgine	James Stuart
Peebles	John Muir
Craill	George Moncrief
Tayne	William Roſs
Culros	Mr David Dalrymple
Bamf	Walter Stuart
Whitehorn	Patrick Murdoch
Forfar	Mr John Lyon
Rothesay	Robert Stuart
Nairn	John Roſe
Forres	Mr William Broddy
Rutherglen	John Scot
Northberwick	Sir Robert Stuart
Anſtruther Wester	Mr Robert Clelland
Cullen	Sir John Hamilton
Lauder	David Maitland
Kintoir	Sir James Scougall
Annan	Mr Wm Johnſtoun
Lochmebben	William Meinzies
Sanquhar	Sir Alexr Bruce
New Galloway	Sir Hugh Dalrymple
Kilreny	Alexr Stivenſon
Fortroſe	Daniel Simpſon
Dingwall	Mr Robert Stuart
Dornock	John Anderson
Queensferry	Sir Wm Hamilton
Inverary	Hugh Brown
Inverury	Mr Robert Forbes
Weik	Sir Archbald Sinclair
Kirkwall	Sir Alexr Home
Inverbervy	William Beattie
Stranrawer	Sir Patrick Murray
Campbelltoun	Mr Charles Campbell

October 29, 1700.

PRAYERS said.

THE Kings Commiſsion to James Duke of Queensberry appointing him to be His Majesties High Commiſsioner to this current Parliament, Read, Whereof the tenor followes.

Commiſsion to the Duke of Queensberry for representing his Majestie in this Seſsion of Parliament

GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique Defensor Omnibus probis hominibus ad quos præsentes Literæ nostræ pervenerint Salutem Quandoquidem Nos Considerantes currentis hujus nostri Parliamenti antiqui Regni nostri Scotiæ Comitia in quartum diem mensis Julii proxime futuri continuata eſse Rebus autem magni momenti avocantibus nos subsequentibus dicti Parliamenti Conventibus intereſse nequimus Ideoq, Commiſsionem nostram cuidam eminentiſsimi ordinis ac fide eximia et præclaris animi dotibus imbuto sacram nostram personam representandi et regalem nostram authoritatem in iisdem gerendi concedere decrevimus Et satis compertum habentes fidem intaminatam insignes facultates et fidelitatem conspicuam fideliſsimi et dilectiſsimi nostri Consanguinei et Conciliarii Jacobi Ducis de Queensberry qui ſummo illo et eminenti munere supremi nostri Commiſsionarii ſingulari cura fidelitate et vigilantia hactenus ad amuſsim functus est Ita ut abunde et pleniſsime nobis ſatisfecit Cujus etiam insignes animi dotes ipſum continuo reddunt usquequaq, instructum pro eodem insigni munere exercendo ac piis et Regiis nostris propositis propagandis tam in promovendo commodo et intereſse dicti nostri antiqui Regni et in Ecclesia et in republica quam ministerio nostro Noveritis igitur nos Dediſse et Conceſsiſse perq, hasce patentes nostras literas de novo Dare et Concedere prædicto Jacobo Duci de Queensberry ſacram nostram personam representandi in prædicto currenti Parliamento et singulis ejusdem Conventibus Et in re quavis alia ubicunq, de Ecclesia firmanda pace et politia dicti Regni nostri conservanda et excolenda et re nostra propaganda et promovenda tractandum fuerit authoritatem nostram regalem gerendi in universis ejusdem administrationibus tanquam supremo nostro Commiſsionario pleniſsimam et ampliſsimam potes-

tatem et nostram Commiſsionem Dando et Concedendo ipsi plenam potestatem et authoritatem omnia et singula ad munus et imperium ſummi Commiſsionarii ſpectantia tam plene et libere quoad omnes effectus sicuti per priorem ſuam Commiſsionem facere potuerat aut quam quilibet alius ejusdem ſummi muneris et characteris Regnantibus quibuscunq, nostrorum sereniſsimorum Deceſsorum unquam fecerat ſeu facere potuerat faciendi agendi peragendi Quæquidem omnia et singula in dicta hac Commiſsione prosequenda ab ipſo facienda Nos firma et rata habemus et habituri ſumus Omnibus et singulis insuper Status nostri Officialibus iisq, qui nobis ab intimis Conciliis Judicibus Legatis et Officiariis nostrarum in hoc Regno copiarum cæterisq, quibuscunq, subditis dicti Regni nostri stricte Mandamus et Imperamus ut præfatum Jacobum Ducem de Queensberry tanquam ſupremum nostrum Commiſsionarium ſacram nostram perſonam representantem et regalem nostram authoritatem gerentem agnoscant Ipsiq, reverentiam et obsequium præbeant ad effectum et secundum normam in hac nostra et dicta priore Commiſsione præscriptam Quæquidem hæc Commiſsio a data præsentium durante nostro beneplacito in vigore durabit et usq, dum nobis placuerit eandem revocare Et denique Declaramus hanc nostram Commiſsionem absq, prejudicio fore præfato Jacobo Duci de Queensberry cuivis alio diplomati ſeu Commiſsioni de quocunq, alio munere a nobis ipſi concredito sed eadem durante hac nostra Commiſsione ac etiam post ipsius expirationem in pleno continuare vigore modo in singulis diplomatibus et Commiſsionibus ipsi conceſsis contento In cujus rei Testimonium præsentibus magnum ſigillum nostrum appendi curavimus Apud aulam nostram de Hamptoun Court Vigesimo sexto die mensis Junii anno Domini Millesimo septingentesimo et anno Regni nostri duodecimo. Per Signaturam manu S. D. N. Regis ſuprascript.

THE Rolls called

[Members excused] SIR James Stuart His Majesties Advocat, and Sir Robert Stuart Commiſsioner for the Burgh of Northberwick. Excuſed by his Grace His Majesties Commiſsioner in respect of their indiſpoſition.

THE Marques of Athole being abſent ſome Seſsions of Parliament Signed the aſsureance and aſsociation.

THE Earls of Rothes and Dalhouſie took the oath of alleadgeance Signed the same with the aſsureance and aſsociation and took the oath of Parliament.

PATENT Creating Archbald Primroſe of Dalmeny Viscount of Roſeberry Read, and ordered to be recorded Of which the tenor followes.

Patent in favors of the Viscount of Roſeberry

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, Defenſor Omnibus probis hominibus ſuis ad quos preſentes Literæ noſtræ pervenerint Salutem Quandoquidem Nos sereno noſtro animo perpendentes perplurima insignia et opportuna officia prestita et impensa sereniſsimo noſtro avo Carolo Primo, auguſtiſsimo etiam noſtro avunculo Carolo Secundo per demortuum Dominum Archibaldum Primroſe de Carringtoun in ſingulis provinciis et miniſteriis publicis ipſi commiſsis nominatim vero in summo illo munere et officio solius Clerici et Cuſtodis archivorum noſtrorum in antiquiori regno noſtro Scotiæ In quoquidem munere et univerſis ejuſdem circumſtantiis gratiſsima præstitit officia Et poſtea in loco et officio Juſticiarii Generalis dicti noſtri Regni Cumq, nobis abunde etiam satisfactum sit de probitate inſigni Archibaldi Primeroſe de Dalmeny ejus filii Ob has igitur et plurimas alias magni momenti res et rationes durabilem et inſignem Regiæ noſtræ munificentiæ Characterem in eundem Archibaldum Primroſe de Dalmeny et heredes masculos de ejus corpore Quibus deficientibus heredes femellas de ejus corpore Quibus etiam deficien heredes ejus talliæ in terris de Roſeberry Conferre Statuimus unde ipſis ulterius animus addatur quin etiam validiores reddantur ex omni occaſione nobis et Regiis noſtris Succeſsoribus majoris momenti officia et miniſteria præstare Noveritis igitur Nos Nominaſse Feciſse Constituiſse et Creaſse sicuti tenore præsentium Nos (tanquam fons et scaturigo prima a quibus omnis honoris et dignitatis tituli in ſubditos noſtros de nobis benemeritos unice promanant) per haſce noſtras patentes Literas Nominamus Facimus Constituimus et Creamus præfatum Archibaldum Primroſe de Dalmeny Vicecomitem et liberum Parliamenti Dominum dicti antiqui Regni noſtri Vicecomitem de Roſeberry Dominum Primroſe et Dalmeny nominandum et appellandum Inq, eundem Archibaldum Primroſe de Dalmeny et heredes maſculos de ejus corpore Quibus deficien heredes femellas de ejus corpore Quibus etiam deficien heredes ejus talliæ in terris de Roſeberry titulum stilum gradum dignitatem et honorem Vicecomitis et liberi Parliamenti Domini ut prædicitur Damus et Conferimus cum plenaria poteſtate jure et authoritate præfato Archibaldo Primroſe ejuſq, antedict eodem fruendi et gaudendi Cum univerſis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq, eo attinentibus Quibuſcum Nos præfatum Archibaldum Primroſe ejuſq, antedict Nobilitamus et Inveſtimus Et speciatim cum libero in Parliamento Suffragio Tenendum dictum titulum stilum gradum dignitatem et honorem Vicecomitis et liberi Parliamenti

Domini cum omnibus et ſingulis prærogativis præcedentiis privilegiis immunitatibus aliiſq, quibuſcunq, eo ſpectantibus per eundem Archibaldum Primroſe de Dalmeny ejuſq, prædict de Nobis noſtriſq, antedictis in omnibus Parliamentis Ordinum Conventibus Generalibus Conciliis aliisq, Congreſsibus quibuscunq, publicis ſeu privatis in dicto antiquo Regno noſtro tam plenarie et libere in quovis reſpectu et conditione quam quilibet alius Vicecomes et liber Parliamenti Dominus simili titulo ſtilo gradu dignitate et honore cum omnibus privilegiis aliiſq, quibuſcunq, eo ſpectantibus perprius uſus et gaviſus eſt tempore præterito ſeu in poſterum uti et gaudere poterit Leoni porro armorum Regi ejuſq, fratribus fæcialibus Imperamus ut præfato Archibaldo Primroſe de Dalmeny nunc Vicecomiti de Roſeberry Domino Primroſe et Dalmeny talia prioribus inſigniis ejus gentiliciis additamenta per eum ejusq, antedict utend qualia ipſi illiſq, convenieñ et congrua ac ſimilibus occaſionibus uſitatis videbuntur Dent et Prescribant Declaramus itidem et Ordinamus haſce noſtras patentes Literas magno noſtro Sigillo munitas adeo validas et ſufficientes fore præfato Archibaldo Primroſe de Dalmeny ejuſq, præscriptis pro poſsidendo dicto titulo ſtilo gradu dignitate et honore vicecomitis et liberi Parliamenti Domini Cum univerſis et singulis prærogativis præcedentiis præeminentiis privilegiis libertatibus et immunitatibus quibuſcunq, eo spectantibus quoad omnes fines et propoſita ac si cum formalitatibus ritibus et ſolennitatibus quibuſcunq, similibus occaſionibus perprius usitatis inveſtiti et inaugurati eſsent Quocirca Nos pro nobis noſtriſq, Regiis Succeſsoribus Diſpensavimus perq, presentes in perpetuum Diſpensamus In Cujus rei Testimonium præsentibus magnum Sigillum noſtrum appendi præcepimus Apud aulam noſtram de Kenſingtoun primo die menſis Aprilis Anno Domini Millesimo septingentesimo et anno Regni noſtri undecimo Per Signaturam manu S. D. N. Regis suprasignatam Written to the Great Seal and registrat the fourth day of May 1700 Sic subſcribitur Charles Kerr Sealed at Edinburgh the fourth day of June 1700 Sic subſcribitur A. Home.

[The Oath of Parliament taken]

THE Viscount of Roſeberry and Lord Reay took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation, and took the oath of Parliament.

ROBERT Dundas of Arniestoun one of the Commiſsioners for the Barons of the Shire of Mid-Lothian John Haddan of Gleneagles for the Shire of Dumbartoun Mr John Stuart younger of Blackhall for the Shire of Renfrew, Sir John Shaw of Greenock for the Shire of Stirling and Hugh Roſs of Kilraick for the Shire of Nairn all new elected took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

WALTER Scot Commiſsioner for the Burgh of Jedburgh newly elected took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

THE Earl of Broadalbain and Sir Alexander Mackenzie of Coul being abſent ſome Seſsions of Parliament Signed the aſsociation.

A LETTER from His Majestie to my Lord Commiſsioner appointing the Lord Montgomery to sit and vote in this Seſsion of Parliament as Lord High Thesaurer Read, Whereof the tenor followes.

Sic suprascribitur WILLIAM R.

His Majesties Letter appointing the Lord Montgomery to have the place and vote of Lord High Thesaurer

RIGHT trusty and right entirely beloved Cousin and Councellor We greet you well Whereas the office of Lord High Treasurer is now in Commission And it being provided by the Lawes of that our Kingdom that the number of our Officers of State who are to vote and have place in Parliament ſhould not exceed the number of Eight even though at any time there should be more perſons employed in the execution of the ſaid offices. And it being reaſonable that there should be one named to appear and act in the enſueing Seſsion of our Parliament as our Treasurer aforeſaid Therefor We Do Nominat and Appoint our right truſty and right well beloved Councellor Alexander Lord Montgomery to have the place and vote of Lord High Treasurer in the ensueing Seſsion of Parliament So We bid you heartily farewell Given at our Court at Hamptoun Court the twenty firſt day of October 1700, and of our Reign the 12th year

By His Majesties Command

Sic subscribitur Ro. PRINGLE.

Directed thus

To our Right truſty and right entirely beloved Couſin and Councellor James Duke of Queenſberry our Commiſsioner to our Parliament of Scotland.

A LETTER from His Majestie to my Lord Commiſsioner appointing the Viscount of Seafield principal Secretary of State to sit and vote in this Seſsion as Lord Secretary Read, Of which the tenor followes.

Sic suprascribitur WILLIAM R.

Letter from the King appointing the Viscount of Seafield to have place and vote as Lord Secretary

RIGHT trusty and right entirely beloved Cousin and Councellor We greet you well Whereas We have ordered our right trusty & right well beloved Cousin and Councellor James Viscount of Seafield one of our principal Secretaries of State for that

our ancient Kingdom to repair thither and to be present at the enſueing Seſsion of our Parliament, And whereas it belongs only to one of our two Secretaries indefinitely to have place and vote in Parliament as an Officer of State Therefor We do Nominat and Appoint the said James Viscount of Seafield to have place and vote and in every thing to act in the ensueing Seſsion of Parliament as the Secretary of State to whom We will have the said priviledges to belong pro hac vice allennarly And so we bid you heartily farewell Given at our Court at Hamptoun Court the twenty firſt day of October 1700 and of our reign the twelvth year

By His Majesties Command

Sic subscribitur RO. PRINGLE.

Directed as the former.

THE Viscount of Seafield Lord Secretary took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

[Anent the Lord Thesaurers voting in Parl.]

IT being objected that the Lord Montgomery not being ane Lord of Thesaury could not sit and vote in this Seſsion of Parliament as Lord High Thesaurer notwithstanding of His Majesties Letter for that effect: And after produceing of the Records and reading of the Declaration of King James the Sixth in the Parliament 1617 anent the Officers of State, The objection was let fall and yielded And his Lordship did take the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

THE Kings moſt gracious Letter to the Parliament preſented by His Majesties High Commissioner Read, and ordered to be recorded Of which the tenor followes.

Sic suprascribitur WILLIAM R.

My Lords and Gentlemen

The Kings Letter to the Parliament

THE state of our affairs abroad Requireing our going beyond Seas was the cauſe of our adjourning your meeting till this time. When We ordered the laſt adjournment by our Letter then publiſhed We fully expreſt our good intentions towards that our ancient Kingdom which we are now ready to make good in this Seſsion of Parliament.

WE have considered the Addreſs you made to us in the Seſsion of Parliament 1698, in behalf of the African Company Repreſenting the ſame as a National Concern and do aſsure you that we are very willing to aſsent to what shall be reaſonably proposed for repairing the loſses and supporting and promoting the intereſt of that Company, And haveing ever reckoned the eaſe and proſperitie of our good Subjects our greateſt honour and happineſs We are likewayes moſt willing to agree to all that can be demanded for maintaining and advanceing the peace and wellfare of the Kingdom.

AND that you and all our good Subjects may have full and ſatisfieing aſsureance of this our good mind We again Declare that we are reſolved to give our Royal aſsent to all acts that ſhall be offered for the better eſtabliſhing the true Protestant Religion and the Preſbiterian Government of the Church which you enjoy, for the more effectual preventing the grouth of Popery, for the repressing of vice and immorality and the encouragement of pietie and vertue, for the preſerveing and secureing of perſonal Libertie, for the regulating and advanceing of Trade and more eſpecially for makeing up the Loſses and promoteing the concerns of the African and Indian Company, for the setting foreward and improveing Manufactures and generally we are ready to give our aſsent to all other Laws that ſhall be brought in for the further clearing and secureing property and civill rights strengthning and facilitating the adminiſtration of Justice, restraining and puniſhing of Crimes, and the preſerveing the peace and quiet of the Kingdom so that nothing shall be wanting on our part to make our people both happy and contented.

IT is truly our regrate that we could not agree to the aſserting of the right of the Companies Colony in Darien and you may be very confident if it had not been for invincible reaſons the preſsing desires of all our Miniſters with the inclination of our good Subjects therein concerned had undoubtedly prevailed But since we were and are fully satisfied that our yeilding in that matter had infallibly disturbed the general peace of Christendom and brought inevitably upon that our ancient Kingdom a heavie war, wherein we could expect no aſsistance, and that now the ſtate of that affair is quite altered, We doubt not but you will reſt satisfied with theſe plain reaſons.

WE are heartily sorrie for the Companies Loſs in what hath happened But we being moſt willing that the Companies Loſs be repaired and ready to concurr in any new project or deſign that ſhall be reaſonably propoſed for the good and advantage of the Kingdom we are moſt confident the wiſdom of the Parliament will no longer stop upon this obstruction. Haveing then this happy opportunity for the promoveing of the good and wellfare of the Kingdom you will certainly lay hold upon it. And seing you cannot but notice the deſigns and practiſes of persons diſsaffected both to our Government and your peace and how watchful and ready our enemies are as well at home as abroad and deſireous of nothing more as that differences may

fall in amongst us We are perſuaded you will be no leſs carefull to avoid them All that we demand is that you would provide proper and competent Supplies for such forces as ſhall be neceſsary for the Kingdomes Security and to maintain it in its preſent happy Settlement.

WE have continued the Duke of Queenſberry to be our Commiſsioner for repreſenting us in this Seſsion of Parliament as a perſon of whoſe ability and fidelity We have made full proof and are aſsured will be to you acceptable And therefore you are to give him full credit. And We expect that in all things you will proceed with that wiſdom calmneſs and unanimity as that this Seſsion may be concluded to our mutual ſatisfaction and to the joy of all our good Subjects. And so We bid you heartily farewell Given at our Court at Loo the fourth of October 1700, and of our reign the twelvth year

By His Majesties Command
Sic subſcribitur RO. PRINGLE.

Directed thus
To the Noblemen and to the Barons Commiſsioners for Shires and to the Commiſsioners for Burghs aſsembled in Parliament in our ancient Kingdom of Scotland.

[The Commiſsioners Speech & the Chancellors Speech]

HIS Majesties High Commiſsioner made his Speech to the Parliament Thereafter the Lord Chancellor made his Speech to the Parliament.

A MOTION being made for printing His Majesties Letter to the Parliament and his Grace the Commiſsioners Speech and the Lord Chancellars Speech, the ſame was ordered accordingly.

[Act adjourning the Seſsion]

THE draught of an Act adjourning the Seſsion untill the firſt day of December next read for the firſt time and ordered to lye on the table.

[Orders of the House]

THE Orders of the Houſe Read, and appointed to be printed and affixed upon the uſual places.

[Commiſsioner for the Shire of Wigtoun]

TWO Commiſsions being produced from the Shire of Wigtoun one to Lord Baſil Hamilton and the other to William Stuart of Caſtlestuart for supplieing the place of the deceaſt Laird of Garthland late Commiſsioner for that Shire, And severall objections being moved againſt the said Commissions it was debated whither the ſame should be diſcuſsed in plain Parliament being alleadged it concerned the state of the Barons or remitted to the Committie for Elections for tryal of matters of fact; The debate was Adjourned and Resolved that it be moved and reſumed the next meeting of Parliament and both parties appointed to be ready to debate by themselves or their Lawyers.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Thurſday next at ten of the clock.

OCTOBER XXXI, M,DCC.

PRAYERS said Rolls called.

PATENT Creating Sir David Colzier Lord Portmore Read, and Ordered to be recorded, The tenor whereof followes.

Patent in favors of the Lord Portmore

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, Defenſor Omnibus probis hominibus ſuis ad quos præſentes Literæ noſtræ pervenerint Salutem Quandoquidem Nos Regio noſtro animo perpendentes fideliſsimum et dilectiſsimum nostrum Dominum Davidem Colzear, Exercituum nostrorum Tribunum Generalem e familia illuſtri et honorabili recta linea proſapiam ſuam ducere Cujus deceſsores per fidelitatem intaminatam firmam itaq, nobis noſtriſq, sereniſsimis anteceſsoribus adheſionem insignes ſeſe reddidere Quorum ipſius pater demortuus Dominus Alexander Colzear nobis inſerviit plurima summæ fidei officia Tenens in exercitibus ordinum fæderatarum provinciarum ſub imperio noſtro et quibus interfuimus, plurimas itidem. Regiæ noſtræ gratiæ et munificentiæ illuſtres notas propterea meruit et acquiſivit Eundem, etiam Dominum Davidem inſignia et summa fidei officia omni occaſione nobis præstitiſse ac in diverſis Muneribus ipſi commiſsis summo cum honore officio functum eſse atq, in priori bello inter fæderatos ordines et Regem Gallicum tum etiam durante toto noviſsimo bello inter Coronam Angliæ ordines Generales eorumq, fæderatos contra Galliam zelum fortitudinem et rei militaris peritiam et in Hibernia et in Flandria inſigniter demonſtraſse Nominatim vero in celeberrimo illo exercitus receptu apud Arcellam ſub imperio principis Vaudimontiæ ubi poſtremam aciem imperandi honorem habuit atq, adeo occaſio ipſi eſt oblata insignia et ſpecialia nobis præstare officia Noveritis igitur Nos Nominaſse Feciſse Conſtituiſse et Creaſse eundem Dominum Davidem Colzear et heredes masculos de ejus corpore legitime procreatos ſeu procreandos quos per preſentes Nominamus Conſtituimus et Creamus liberos Parliamenti Dominos Dominos de Portmore et Blackneſs designandos et appellandos omni tempore futuro Damus pariter Concedimus et Conferimus in eundem Dominum Davidem Colzear ejuſq, antedictos titulum dignitatem gradum et honorem liberi Parliamenti Domini sub titulo Domini Portmore ut prædicitur Cum omnibus et ſingulis præ-

rogativis præeminentiis privilegiis libertatibus et immunitatibus quibuscunq, eo ſpectantibus quibuscum eundem Dominum Davidem Colzear ejuſq, antedictos Nobilitamus et Investimus omni tempore futuro Speciatim vero cum libero in Parliamento Suffragio Tenendum antedictum titulum honorem gradum et dignitatem cum omnibus et ſingulis prærogativis præeminentiis præcedentiis privilegiis libertatibus et immunitatibus quibuscunq, per dictum Dominum Davidem Colzear ejusq, antedictos de nobis noſtriſq, Regiis Succeſsoribus in omnibus Parliamentis Ordinum Conventibus Generalibus Conciliis aliisq, publicis et privatis Congreſsibus in dicto Regno noſtro tam plenarie et libere in quovis reſpectu ac quilibet alius Parliamenti Dominus quovis tempore retroacto eodem titulo potitus et gaviſus est vel pro presente seu in futurum potiri et gaudere poterit dictumq, Dominum Davidem Colzear ejuſq, antedictos eorumq, uxores et liberos locum et præcedentiam habere ante uxores et liberos omnium aliorum ante quos temporales Domini locum habere debent Dispenſamus itidem cum generalitate præsentium cumq, omnibus formalitatibus et solennitatibus similibus occaſionibus perprius usitatis Leôni deniq, armorum Regi ejuſq, fratribus fæcialibus Mandamus ut præfato Domino Davidi Colzear nunc Domino Portmore ejuſq, prædictis talia prioribus insigniis gentiliciis additamenta qualia ipſi illisq, congrua videbuntur hac occaſione Dent et Præscribant In Cujus Rei Testimonium Præsentibus magnum Sigillum noſtrum appendi præcepimus Apud aulam noſtram de Kensingtoun primo die mensis Junii anno Domini Millesimo ſexcentesimo nonagesimo nono et anno Regni noſtri undecimo. Per Signaturam manu S. D. N. Regis suprasignatam Written to the Great Seal and regiſtrat the fourth day of July 1699. Sic subscribitur Charles Kerr. Sealed at Edinburgh the Sixth day of July 1699 Sic subscribitur A. Home.

WHEREUPON the Lord Portmore took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

ALEXANDER Porterfield of that Ilk one of the Commiſsioners for the Barons of the Shire of Renfrew newly elected in place of John Caldwell of that Ilk deceaſed took the oath of alleadgeance Signed the same with the aſsureance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

ACT for adjourning the Seſsion again read, and an amendment being made that the adjournment be till the firſt Tuesday of December in place of the firſt day of December It was put to the vote Approve the Act, or not, and Carried in the affirmative.

THE said Act touched with the Scepter by His Majesties High Commiſsioner in the usual manner, and ordered immediatly to be proclaimed, The tenor of which Act follows.

ACT Adjourning the Seſsion to the firſt Tueſday of December

OUR SOVERAIGN LORD Considering that the Sitting of the Parliament may continue for the moneth of November whereby the Winter Seſsion cannot conveniently sit in its ordinary time, And that the Leidges may not be put to unneceſsary attendance Doth therefor with advice and conſent of the Eſtates of Parliament Adjourn the Seſsion (which in courſe ſhould sit the firſt of November) to the firſt Tuesday of December next Continueing all actions and cauſes depending before the Lords of Seſsion untill the ſaid firſt Tueſday of December And His Majeſtie Diſpenses in the mean time with the sitting of the Juſticiary Court and all other inferiour Courts as if the Seſsion had not been adjourned and notwithstanding of the Sitting of the Parliament And further Declares that the time and ſpace to run betwixt the ſaid firſt of November and the firſt Tueſday of December shall not be reckoned in any ſhort preſcription. And ordains theſe preſents to be publiſhed at the mercat croſs of Edinburgh and to be furthwith printed that the Leidges may be certified thereof. 1

[Election of the Shire of Wigton]

MOVED that the double Election from the Shire of Wigtoun may be resumed and taken into conſideration, and the parties with their Lawyers being called, the caſe was debated and the Instruments produced by both parties read; It was propoſed that the firſt point to be ſpoke to ſhould be the alleadged incroachment made upon the freedom of the elections by the noblemen and others, their comeing in and remaining in the roum the time of the election: It was proposed by others that the firſt thing to be considered ſhould be the procedure of the Shiref of Wigtoun in fining one of the freeholders who was claiming his vote becauſe he would not remove and in his aſsumeing to be preses of the meeting Which alleadged incroachments of the Sheriff being firſt in order ſhould be firſt conſidered, And a debate haveing ariſen anent the state of the question, the same was adjourned till the next meeting of Parliament.

[Committies]

THE Lord Chancellar did intimat to the members of Parliament that at their next meeting they are to proceed to the choiſe of their uſual Committies.

THE Lord Chancellar by order of His Majesties High Commiſsioner adjourned the Parliament till Saturday next at ten of the clock.

NOVEMBER II, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Orders of the Parliament Houſe again read, and appointed to be duely observed.

[Commiſsioner for Campbelltoun]

A COMMISSION to Mr Charles Campbell from the Burgh of Campbelltoun newly erected, And the Charter of erection under the Great Seal for the warrand thereof both read; And after ſome reaſoning thereon the ſaid Mr Charles took the oath of alleadgeance Signed the same with the aſsureance and aſsociation and took the oath of Parliament, and was added to the Rolls.

THE said Charter of Erection being ordered to be Recorded in the Books of Parliament is of the following tenor.

Carta Erectionis Burgi Baroniæ de Campbelltoun in Burgum Regale.

GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; Defenſor Omnibus probis hominibus totius terræ ſuæ Clericis et Laicis Salutem Quia Nos Considerantes quod per ducentesimum et [sexagesimum tertium] actum Parliamenti quindecimi Jacobi Sexti illuſtriſsimi nostri prædeceſsoris pro incremento Politiæ et Civilitatis in locis montanis Regni nostri Scotiæ præfatus nobiliſsimus noſter anteceſsor cum conſenſu ordinum Parliamenti Statuit et Ordinavit tria diverſa Burga ſeu oppida in locis maxime convenientibus et idoneis ac pro iisdem aptiſsimis erigi et ædificari intra limites montanos Quorum unum in Kintyre aliud apud Lochaber et tertium apud Lewis Quibusquidem Burgis et Incolis earundem Dederunt et Conceſserunt omnia privilegia quæ dictus Rex seu prædeceſsores ejus ulli alio Burgo et Incolis ejuſdem Conceſserunt Nec non perpendentes unum solummodo eſse Burgum Regale infra vicecomitatum de Argyle etiamſi unum ex ampliſsimis vicecomitatibus dicti noſtri Regni Burgumq; de Campbeltoun in Kintyre infra dictum Vicecomitatum (quod pro præsenti eſt Burgum Baroniæ) fore maxime conveniens et idoneum in Burgum Regale pro incremento Commercii et Mercaturæ in ista parte dicti noſtri Regni erigi et a Burgo de Inverary sexaginta millia distans Ac etiam perpendentes fideliſsimum et prædilectiſsimum noſtrum Conſanguineum et Conciliarium Archibaldum Comitem de Argyle (ad quem præfatum Burgum de Campbeltoun in feodo et hereditate pertinet et in quo ille ejuſq; prædeceſsores ſunt infeodati et saſiti) cupidum eſse ut dictum Burgum de Campbeltoun in Burgum Regale erigatur prout idem jacet infra liſnites et bondas subſequentes viz. habens Lacum de Campbeltoun olim nuncupat Lacum de Kilherane ex orientali Terras de Kilherane et Corſhill ex auſtrali Terras de Moy ex occidentali et Terras de Ballingreyan et Drummore ex boreali partibus ejuſdem Igitur et in prosecutionem prædicti Acti Parliamenti proq; bonis aliis cauſis et considerationibus Nos cum speciali aviſamento et conſenſu fideliſsimorum et prædilectorum nostrorum Conſanguineorum et Conciliariorum Patricii Comitis de Marchmont supremi Cancellarii antiqui Regni noſtri Scotiæ Jacobi Ducis de Queensberrie dicti Archibaldi Comitis de Argyle Gulielmi Comitis de Annandale et confiſorum noſtrorum Conciliariorum Adami Cockburn de Ormiſtoun noſtri Theſaurarii deputati et Magistri Francisci Montgomery de Giffen Commiſsionariorum noſtri Thesaurarii Computorum Rotulatorii et Thesaurarii novarum augmentationum in dicto noſtro Regno ac etiam cum aviſamento et conſenſu reliquorum dominorum aliorumq; Commiſsionariorum noſtri Scaccarii Constituimus Ereximus et Incorporavimus Tenoreq; præſentis Cartæ noſtræ ex certa noſtra scientia proprio motu potestate et authoritate et virtute noſtræ Regalis Prærogativæ Constituimus Erigimus Creamus et Incorporamus dictum Burgum de Campbeltoun cum integris domibus ædificatis ſeu ædificandis infra dictas bondas una eum præfatis bondis acris, rudis paſturagiis moſsis moris mareſiis et communitatibus ad eundem spectañ in unum integrum et liberum Burgum Regale nunc et in omne tempus futurum nuncupand Burgum de Campbeltoun Cum omnibus privilegiis libertatibus et immunitatibus ad Burgum Regale pertineñ Reservando semper prænominato confiſo et prædilecto noſtro Conſanguineo et Conciliario Archibaldo Comiti de Argyle ejuſq; heredibus et succeſsoribus feudifirmæ divoriis cum cenſibus firmis aliiſq; divoriis juribus et serviiis quibuſcunq; perprius ſolvi usitaŧ seu illi ejuſq; præscriptis competeñ secundum ipſius jura et infeofamenta ejuſdem et jura per dictum Comitem incolis ejuſdem Burgi conceſsa vel concedenda Præterea cum conſenſu prædicŧ Dedimus et Conceſsimus plenam libertatem et potestatem præfato Comiti (ad melius stabiliendum et suſtinendum dictum Burgum) Eligendi pro prima vice ex incolis præscripti Burgi de Campbeltoun unum Præpoſitum duos vel tres Ballivos unum Decanum Gildæ unum Thesaurarium et duodecem alios pro eorum Communi Concilio Cumq; potestate dictis Magiſtratibus et Concilio deinde Eligendi novum Concilium anñuatim et dicto antiquo Concilio cum novo Eligendi succedentes Magiſtratus et Officiarios secundum Acta Parliamenti Et hoc ex numero seu catalogo trium perſonarum pro Præpoſito et ex numero sex seu novem perſonarum pro Ballivis annuatim per dictum Comitem ejuſq; præscriptos exhibend Et si contigerit præfatum Comitem omittere traditionem dictorum numerorum tunc licitum erit dicto Burgo suos Magistratus pro eodem anno eligere Ac etiam cum

potestate prænominato Præpoſito Ballivis et Communi Concilio dicti Burgi eligendi Commiſsionarios pro noſtris Parliamentis Ordinum Conventibus et Regalium Burgorum Conventionibus cum aliis officiariis ad bene gubernandum præfatum Burgum in futurum Cum poteſtate etiam præscripť Præpoſito Ballivis et Communi Concilio Burgi supraspecificať eorumque Succeſsoribus in officio Leges Acta et Statuta ad melius gubernandum dictum Burgum secundum Leges et praxin dicti noſtri Regni sanciendi, Necnon cum poteſtate illis habendi liberos mercatores vel. Gildam Curias Decani Gildæ cum Concilio et membris ejuſdem libertatibus et emolumentis ad eaſdem pertineñ Ac etiam Constituendi et Creandi Burgenſes fratres gildæ cum talibus libertatibus et privilegiis qualia ad eos spectant ſeu in uſu ſunt obſervari in ullo alio Burgo Regali hujus Regni Ac habendi omnes mercatores et artifices quoſcunq, in dicto Burgo ad liberum Burgum Regale pertineñ Cum poteſtate etiam et libertate illis utendi Commercio et mercatura tam in dicto Regno quam extra idem in exteris Regionibus Nec non omnia legittima mercimonia vel commoditates quoscunq, exportandi et importandi Et ad hunc effectum habendi naves briremes scaphas seu navicula cum nautis aliiſq, navigatoribus ac emittendi lie Cocquets et Importandi vinum cerum pannum laneum et lineum latum et strictum omniaq, alia mercimonia quæcunq, ad ullum aliud Burgum spectañ vendendi et emendi Et similiter cum poteſtate præfať Præpoſito Ballivis eorumq, Succeſsoribus in officio curias in dicto Burgo Tenendi dieſq, curiales Ordinandi Clericos aliaq, membra neceſsaria Curiæ Creandi similiter et tam libere in integris reſpectibus prout aliquod aliud Burgum infra dictum noſtrum Regnum fecit vel faciet in futurum Cum poteſtate prænominať Præpoſito Ballivis et communi Concilio ulterius Taxationes ad neceſsarios uſus imponendi prout uſus eſt aliorum Regalium Burgorum Et ad hunc effectum præfectus ordinandi easdemq, levandi et precipiendi ac prò iiſdem executione utendi secundum morem burgorum Regalium Porro Conſtituimus et Ordinavimus præfať Præpoſitum et Ballivos dicti Burgi de Campbeltoun eorumq, Succeſsores Justiciarios pacis infra bondas Burgi supramentionati Cum poteſtate illis Conſtabularios omneſq, alios officiarios et membra Curiæ neceſsaria Creandi Præterea Dedimus et Diſpoſuimus dictis Magiſtratibus illorumq, Succeſsoribus in officio integras eſchetas mulctas et amerciamenta reſpectivarum eorum Curiarum ad commune bonum dicti Burgi et incolarum ejuſdem applicandas Ac etiam cum conſenſu prædicť Dedimus et Conceſsimus plenam libertatem licentiam et poteſtatem præscripť Præpoſito Ballivis et Concilio dicti Burgi habendi et ædificandi novem Crucem foralem Libram et Librandi Domicilium et novum prætorium in eodem Apud quamquidem Crucem foralem licitum erit noſtris Subditis infra bondas de Kintyre inſulas de Giga et Cara bona namare et appretiare Rebelleſq, Denunciare omniaq, alia acta publicationum et legales executiones apud eundem similiter et tam libere in omnibus reſpectibus prout eadem eſset Crux foralis principalis Burgi dicť Vicecomitatus Una cum libero portu marino in lacu de Campbeltoun nunc et in omni tempore futuro nuncupando Port Campbell vel in ulla alia parte ſeu partibus infra limites dicti lacus prout illis magis expediens videbitur Præterea cum aviſamento prædicto Dedimus et Conceſsimus dictis Magiſtratibus unum forum hepdomadarium tenendum die veneris unaquaq, hepdomade et tres liberas nundinas annuatim unamquamq, earum continuand per spatium octo dierum annuatim temporibus subſcriptis incipiend viz. primam illarum nundinarum annuatim primo die Martis menſis Auguſti incipiend nuncupandum nundinum festi Sancti Petri ad vincula ſeu lie Lambmaſs fair secundam illarum annuatim primo die Martis Octobris nuncupand lie Michaelmaſs fair tertiam earum annuatim primo die Martis menſis Novembris vocand Hallow fair Cum poteſtate etiam prænominať Præpoſito et Ballivis dicti Burgi Tenendi dicť foras et nundinas vel infra bondas dicti Burgi vel ſuper aliquas alias commodas bondas eidem adjaceñ ubi libertatem eadem tenendi a proprietariis et poſseſsoribus earundem obtinere contigerint Et similiter cum conſenſu prædicť Dedimus et Diſpoſuimus præscripť Præpoſito Ballivis Concilio et Communitati dicti Burgi eorumq, Succeſsoribus integras minutas Cuſtumas dicť hepdomadariorum fororum et nundinarum cum anchoragiis navium toloniis lie dockſilver navium Stationum lie plankadge omnibuſq, aliis divoriis et emolumentis prædicť portus marini in omni tempore futuro in uſum proprium dicti Burgi applicand Cum poteſtate illis eadem imponendi levandi et erigendi ſimiliter et tam libere in integris reſpectibus sicuti quodvis aliud Burgum Regale in dicto noſtro Regno in uſu eſt præſtare Ac etiam Volumus et Concedimus quod dictum Burgum habebit et fruetur. libertate liberi Burgi Regalis liberorum nundinorum et fororum Nec non Reſtringendi et Cohibendi omnes perſonas minime liberos ad Commercium exercendum infra integras bondas de Kintyre et inſulas adjacentes eidem inter aquam de Barderaum et lie Mule de Kintyre secundum prædictum actum parliamenti Et Volumus et Concedimus quod nullum aliud Burgum Regale ſeu Burgum Baroniæ erigatur infra præscriptas bondas in futurum in prejudicio et detrimento dicti Burgi de Campbeltoun Et quod nulla alia hepdomadaria fora seu liberæ nundinæ teneantur in ulla alia parte prædicť limitum ſed tantummodo in prædicť Burgo de Campbeltoun vel bondis ejuſdem proxime eidem adjaceñ Inhibeñ et Prohibeñ omnes et ſingulos noſtros ſubditos omneſq, alios quorum refert libertatem Burgi Regalis ſeu Burgi Baroniæ

exercere nec non tenere et obſervare fora hepdomadaria vel liberas nundinas extra dictum Burgum infra bondas ſupraſcriptas Tenend et Habend totum et integrum prædictum Burgum de Campbeltoun cum omnibus et ſingulis libertatibus priviſegiis juriſdictionibus omnibuſq; aliis ſupraſpecificat prænominat Præpoſito Ballivis Concilio et Communitati dicti Burgi eorumq; Succeſſoribus de Nobis noſtriſq; Succeſſoribus in libero Burgagio in perpetuum infra integras limites et libertates ejuſdem cum curiis placitis amerciamentis Curiæ bloodwitis eſchetis aliiſq; immunitatibus quibuſcunq; ad quodlibet aliud Burgum Regale infra dictum Regnum noſtrum ſpectañ ac cum omnibus aliis et ſingulis ſuis libertatibus commoditatibus proficuis aſiamentis et juſtis ſuis pertineñ quibuſcunq; tam non nominat quam nominat tam ſubtus terra quam ſupra terram procul et prope ad dictum Burgum ſpectañ ſeu juſte ſpectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace ſine aliquo impedimento revocatione contradictione aut obſtaculo aliquali Reddendo inde annuatim præſcript Præpoſitus Ballivi Concilium et Communitas dicti Burgi de Campbeltoun eorumq; Succeſſores in officio nobis noſtriſq; Succeſſoribus ſummam quatuor Librarum monetæ Scotiæ apud feſtum Pentecoſtes annuatim nomine Burgi Divoriæ una cum ſervitiis Burgi uſitatis et conſuetis tantummodo Et Voluimus et Conceſsimus proq; Nobis et Succeſſoribus noſtris cum conſenſu prædict Decrevimus et Declaravimus unicam ſaſinam ſemel ſuſcipiend per Præpoſitum vel unum aliquem ex Ballivis dicti Burgi per terræ et lapidis fundi et unius virgæ deliberationem apud Crucem foralem dict Burgi fore validam et ſufficientem ſaſinam præfat Præpoſito Ballivis et Communitati dicti Burgi eorumq; Succeſſoribus in officio abſq; ulla alia ſaſina ſuper aliquam aliam partem vel locum præfati Burgi ſuſcipienda in futurum Insuper Vicecomiti et Ballivis ſuis de Argile nec non dilectis noſtris et veſtrum cuilibet conjunctim et diviſim Vicecomitibus nostris Vicecomitatus de Argyle in hac parte ſpecialiter conſtitut Salutem Vobis Præcipimus et Mandamus quatenus præfatis Præpoſito Ballivis Concilio et Communitati dict Burgi vel eorum certo actornato latori præſentium Saſinam totius et integri prædicti Burgi de Campbeltoun cum omnibus et ſingulis libertatibus privilegiis juriſdictionibus omnibuſq; aliis ſupraſpecificat jaceñ ut præfertur ſecundum formam et tenorem antedictæ Cartæ noſtræ quam de nobis inde habent et diſpenſationis prædict juſte haberi faciatis ſine dilatione et hoc nullo modo omittatis Ad quod faciendum vobis et veſtrum cuilibet conjunctim et diviſim vicecomitibus noſtris vicecomitatus de Argyle in hac parte antedict Committimus poteſtatem In cujus rei Teſtimonium huic preſenti Cartæ noſtræ magnum Sigillum noſtrum appendi mandavimus Testibus prædilecto noſtro Conſanguineo et Conciliario Carolo Comite de Selkirk nobis ab Archivis et Regiſtris Clerico dilecto nostro Conciliario Domino Joanne Maxwell de Pollock nostri Juſticiarii Clerico et dilecto noſtro Domino Carolo Kerr milite noſtræ Cancellariæ directore Apud aulam noſtram de Kenſingtoun decimo nono die mensis Aprilis anno Domini Milleſimo ſeptingentesimo et anno Regni noſtri duodecimo Written to the Great Seal and regrat the fourth day of June 1700 Sic subscribitur Dun: Ronald dp^t Sealled at Edinburgh the fifth day of June 1700.

[Election of the Shire of Wigton]

THE former debate anent the encroachments complained of at the election of the Shire of Wigtoun again reſumed.

A MOTION made that the enquireing into the encroachments complained of in the election of the Shire of Wigtoun is not for cenſureing any perſons therein concerned But only in order to a Regulation by a law for Secureing the freedom of Elections and for annulling of thoſe elections or either of them as accords.

WHICH motion being read was voted and approven nemine contradicente and immediatly ſigned by the Lord Chancellar.

THEN the Parliament proceeded to the conſideration of the encroachments complained of, And a motion made that the complained of encroachments made by the Sheriff had not been yet ſpoke to; After an full reaſoning thereanent the Queſtion was Stated whither the Encroachments made by the Lords and others or theſe made by the Sheriff ſhould be firſt diſcuſsed; It carried the complained of encroachments made by the Sheriff.

AND it being moved that the Parliament ſhould farder proceed in that matter; The same was adjourned to the next meeting.

THE Lord Chancellar by order of His Majeſties High Commiſsioner adjourned the Parliament till Tuesday next at ten of the Clock.

NOVEMBER V, M,DCC.

PRAYERS said Rolls called.

SIR David Arnot Commiſsioner for the Barons of the Shire of Kinroſs newly elected took the oath of alleadgeance ſigned the ſame with the aſsureance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

Warrand to elect a Commiſsioner for the Shire of Air

HIS Majesties High Commiſsioner and the Eſtates of Parliament in reſpect of the deceaſe of William Muir of Rowallan formerly one of the Commis-

sioners to this prefent Parliament for the Shire of Air Do Grant order and warrand to the Sheriff principal of the faid Shire and his deputes to call the freeholders of the faid Shire together on Wednefday the twentieth inftant at the usual place of meeting to the effect they may choife an Commifsioner to the said Parliament in place of the said William Muir of Rowallan And Ordains intimation hereof to be made in the ufual manner at the feverall paroch Churches on the Sabath day preceeding the day appointed for their meeting.

[The Lord Rollo] MOVED that a paper given in by the Lord Rofs some dayes ago in relation to the Lord Rollo may be read, and the fame was accordingly read.

[Shire of Wigton] THE consideration of the encroachments complained of at the Election of the Shire of Wigtoun refumed, and aggried that there be diligence granted at either parties inftance to cite witnefses on twenty four hours warning againft the next Sederunt of Parliament And that the Parliament will then confider whether to examine them in plaine Parliament, or to Remit them to a Committie.

[Committies] MOVED that the States do seperat and make election of their ordinary Committies, And that the Committie for Security of the Kingdom confift of nine of each ftate, The Committie for Trade of seven of each ftate The Committie for Contraverted Elections of five of each ftate The Committie for returning an anfwer to the Kings Letter of one of each ftate, And that one of each ftate be named for revifeing the Minuts of this Sefsion of Parliament, Whereupon the States haveing seperat to their ufual places, returned and reported their several elections as followes.

For Security of the Kingdom

OF the State of Nobility the Earls of Argyle, Mar Lauderdale Lothian Loudoun Leven Annandale, the Vifcount of Stair, and Lord Carmichael. Of the State of Barons Robert Dundafs of Arniestoun Sir John Home of Blackadder William Bennet younger of Grubbet Sir Francis Scot of Thirleftain William Baillie of Lamingtoun Sir Thomas Burnet of Leyes Lodovick Grant of that Ilk Sir William Anftruther of that Ilk and James Brodie of that Ilk Of the Commifsioners for Burghs Sir Archbald Muir Mr John Murray Sir James Smollet Mr David Dalrymple Sir John Hamilton William Meinzies Sir Hugh Dalrymple Sir William Hamilton and Sir Alexander Home.

For Trade

OF the Nobility the Earls of Buchan Aboyne Kintoir Vifcount of Tarbat and Lords Forbes Jedburgh and Ruthven, Of Barons William Morifon of Preftoungrange John Haddan of Gleneagles Sir John Shaw of Greenock Patrick Murray of Livingftoun James Moir of Stonywood Mr James Carnegie of Phinhaven James Scot of Logie younger Of the Commifsioners for Burghs James Fletcher John Anderfon for Glafgow John Muir for Air Mr Alexander Cunningham William Cultrane Mr William Johnftoun and Hugh Broun.

For Contraverted Elections

OF the Nobility the Earls of Glencairn Carnwath Broadalbain Viscount of Tarbat and Lord Bellenden Of the Barons William Hepburn of Beinstoun James Pringle of Torwoodlie John Crauford of Kilbirny George Broddie of Aflifk and Sir John Areskine of Alva Of the Commifsioners for Burghs Sir Andrew Home Mr James Campbell Mr William Broddie Mr Robert Forbes & Sir Archbald Sinclair.

For Answering the Kings Letter

OF the Nobility the Earle of Argile, Of the Barons the Laird of Grant Of the Commifsioners for Burghs Sir Hugh Dalrymple.

For Reviseing the Minuts of this Sefsion of Parliament

OF the Nobility the Vifcount of Tarbat Of the Barons Sir John Lauder of Fountainhall Of the Commifsioners for Burghs Mr David Dalrymple.

RESOLVED that all motions and overtures be firft made in plain Parliament, And that no motion or overture come in from any of the Committies but upon matters firft remitted to them by the Parliament. [Anent Motions & Overtures]

OVERTURES for Acts to be made viz. An Act for Security of the Protestant Religion and Presbiterian Government of the Church as it is now eftablifhed Ratifieing all Laws made in their favors An Act for preventing the grouth of Popery with such additions as fhall be found neceffary And an Act for the more effectual execution of the Laws made for Suppreffing vice and Immoralitie, All read and remitted to the Committie for Security of the Kingdom. [Overtures for Acts to be made]

MOVED that the Minuts dated the twenty feventh of May laft be read and the fame were read accordingly and the further Confideration thereof delayed.

ORDERED that the Committies meet to morrow at ten a clock in the ufual places.

THE Lord Chancellar by order of His Majesties High Commifsioner Adjourned the Parliament till Friday next at ten of the clock.

NOVEMBER VIII, M,DCC.

PRAYERS said Rolls called.

[Commissioner for Orkney] COMMISSION to Charles Mitchell for being one of the Commissioners for the Barons of the Stewartry of Orkney and Zetland presented and read, and some objections being proponed against the same; it was moved that the said Commission and objections be remitted to the Consideration of the Committie for contraverted elections and the vote being stated whither to consider the same in plain Parliament, or Remit to the Committie carried Remit.

MINUTS of the last Sederunt read.

[General Assembly] A REPRESENTATION from the Commission of the General Assembly to the Parliament read, and remitted to the Committie for Security of the Kingdom.

Act for securing the Protestant Religion &c. THE draught of an Act for Secureing of the Protestant Religion and Presbiterian Government in the Church as now established brought in from the Committie read for the first time: Also an Overture proposed as an addition to the said Act presented & read and both ordered to lye on the table.

[Planting of Kirks] OVERTURE for planting of Kirks and provideing the poor read and ordered to lye on the table.

[Preventing the grouth of Popery &c.] DRAUGHT of an Act from the Committie for preventing the grouth of Popery read for the first time and ordered to lye on the table.

AGGRIED that the representation from the Commission of the General Assembly and the draught of the Act for preventing the grouth of Popery be printed in order to be considered by the members of Parliament.

[Overtures, —Personal Liberty— Wrongous Imprisonment] OVERTURE that an act be brought in for Secureing personal Liberty, and remitted to the Committie for Security of the Kingdom to bring in the same: Also moved that the draught of an act anent wrongous imprisonment presented to the Parliament in the year 1698, be read as an Overture.

Resolve anent the business of Caledonia MOVED that after the Laws for Secureing Religion the affair of Caledonia be taken into consideration: Also moved that the Kings Letter to the Parliament be again read, and the same was read accordingly; And a debate arising anent the order in which the affair of Caledonia is to be considered It was proposed that there be a Resolve of Parliament that after the Laws for regulating of Trade as to export and import the important business of the Indian and African Company and Caledonia should be taken into consideration and the Parliament to give their sentiment upon it nothing interveening; And a vote craved Approve the Resolve or not; It was proposed by others that a certain fixt day be appointed for considering the affair of Caledonia and a vote also Craved thereon; And the Question being Stated whither the vote should be Approve the resolve or not, or Fix a day or not, Carried Approve the resolve or not.

AND the forsaid Resolve being again read in Parliament, It was put to the vote Approve or not and it carried Approve nemine contradicente.

[Wrongous Imprisonment] THE draught of the said Act anent wrongous imprisonment moved again to be read and the same was accordingly read and remitted to the Committie for Security of the Kingdom.

[Overtures for Acts to be made] OVERTURES for Acts to be made viz. an Act for the more effectual restraining the importing wearing or useing of forraign Woolen manufacture, Act for regulating the Trade with France, Act for regulating the Trade with Ireland, Act for restraining the importing or wearing of forraign Silk Stuffs and Act for abrogating the twenty seventh Act of the Parliament 1663 relating to forraign Trade all remitted to the Committie for Trade.

ORDERED that the Committies meet on Munday next at ten a clock in the usual places.

THE Lord Chancellar by order of His Majesties High Commissioner Adjourned the Parliament till Tuesday next at ten of the clock.

NOVEMBER XII, M,DCC.

PRAYERS said Rolls called.

THE Earl of Airly excused by his Grace His Majesties High Commissioner in respect of his indispositon.

M[R] John Gordon younger of Carrell one of the Commissioners for the Shire of Sutherland newly elected in place of Sir Adam Gordon of Dalfolly deceist, took the oath of alleadgeance signed the same with the assureance and association and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

[Laird of Innes ag^{t} Duke of Gordon] PETITION the Laird of Innes younger Craveing warrand to Cite the Duke of Gordon and others to compear before the Parliament to the effect therein mentioned read and ordered to lye on the table untill the next Sederunt of Parliament and the Duke of Gordon or any other person concerned allowed to ſee and anſwer the ſame if they ſhall think fit.

[Glaſs & Soap Works at Glasgow] PETITION James Montgomery merchant in Glaſgow Craveing warrand to erect an Manufactory of Glaſs and Soap works at Glaſgow with the ſame priviledges and liberties as are granted to the Glaſs works at Leith and Moriſons haven read and remitted to the Committie for Trade.

[Hatmakers] PROPOSALLS from the Hatmakers of Edinburgh for themſelves and in name of the reſt of the Hatmakers of the Nation anent the ſeverall particulars therein mentioned relating to the makeing of Hats read and remitted to the Committie for Trade.

[Mr William Gordon of Balcomy ag^{t} Sir William Hope] PETITION Mr William Gordon of Balcomy Craveing warrand to Cite Sir William Hope and other perſons complained on to compear before the Parliament read and the ſaid petition with a repreſentation given in by Sir William Hope in anſwer thereto remitted to the Committie for Elections to conſider whither or no there be ground for granting warrand for the ſaid citation and to report.

[Election of the Shire of Wigton] MOVED that the conſideration of the complained of incroachments at the election of the Shire of Wigtoun be again reſumed and the Minuts of the fifth of November inſtant relating to that matter being read ane debate aroſe whither the witneſses Cited ſhould be examined in plain Parliament or remitted to a Committie and Lord Baſil Hamilton being heard on matters of fact, and the instrument produced by Caſtlestewart relating to the Sheriffs procedure read, Caſtlestuarts oath of calumny was craved If he has juſt reaſon to alledge what is repreſented in the said instrument anent the Sheriffs continueing preses after another preses was desired to be choſen; And he haveing deponed affirmative, It was remitted to the Committie for Elections to receive the depoſitions of the witneſses cited by both parties, and to take tryal of the haill other matters of fact relateing to the ſaid elections in ſo far as the ſame requires probation and to report.

[Act for securing the Protestant Religion &c.] THE Act for Secureing the Protestant Religion and Preſbiterian Church Government as now eſtabliſhed brought in from the Committie read the second time and being put to the vote Approve the Act or not, it carried Approve nemine contradicente.

[Act for Presbiterian Church Government] THE Draught of an other Act for Preſbiterian Church Government in relation to their National Synods and General Aſsemblies read; It was moved that this Act be remitted to the Committie for Security Alſo moved that the ſame be considered in plain Parliament, the farder consideration thereof delayed, and the Act ordered to lye on the table.

APPOINTED that the severall Committies do meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Thurſday next at ten of the clock.

NOVEMBER XIV, M,DCC.

PRAYERS said Rolls called.

[Commiſsioner for the Shire of Cromarty] COMMISSION to Mr Roderick Mackenzie of Prestounhall for being one of the Commiſsioners for the Barons of the Shire of Cromarty newly elected in place of John Urquhart of Craighouſe who did not ſigne the aſsociation, presented; It was moved that one of the Subſcribers of the ſaid Commiſsion ſignes as procurator for an abſent Baron contrare to Law which allows of no proxies in such elections; Ordered that the ſaid Procurators name be deleat; and the ſame being accordingly done, Prestounhall took the oath of alleadgeance ſigned the ſame with the aſsureance and aſsociation, and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

[Commiſsioner for Argyll shire] PETITION from the Freeholders of Argyle shire Craveing warrand to elect a Commiſsioner to the Parliament in place of Sir Duncan Campbell of Auchinbreck in reſpect of his indiſpoſition, read, Also two testificats of his sickneſs and Sir Duncans own dimiſsion likewayes read, And in respect thereof and of the notoriety of Sir Duncans circumſtances and incapacity to ſerve in Parliament, and that several members of Parliament had declared that he owned himſelf to be a papiſt: It was moved that warrand be granted to elect a new Commiſsioner in his place and the question being ſtated Grant warrand or no, It carried Grant warrand as follows.

Warrand to Elect a Commiſsioner for the Shire of Argyle ANENT the Petition given in and preſented to His Majesties High Commiſsioner and the Honourable Eſtates of Parliament by the Barons and freeholders of the Shire of Argyle Shewing that where

Sir Duncan Campbell of Auchinbreck one of the Commiſsioners for the said Shire to this current Parliament is of late become altogether unable to ſerve therein by reaſon of his indiſpoſition ſickneſs and inability upon which account he has given in a dimiſsion as the ſame and other evidences may teſtifie And therefor humbly Craveing that his Grace and the Honourable Eſtates of Parliament would grant warrand to Conveen the ſaid freeholders of the ſaid ſhire of Argyle to Elect another fit and qualified perſon of their number in place of the said Sir Duncan to repreſent the ſaid ſhire in this Parliament as the ſaid Petition bears For inſtructing of which Petition there was produced a Dimiſsion under the hand and ſubscription of the ſaid Sir Duncan Campbell bearing him thereby to dimit the truſt and Commiſsion ſtanding in his perſon as a member of this current Parliament for the reaſons and cauſes forſaids as the ſamen of the date the eighteenth of September laſt more fully bears Item a Teſtificat under the ſubſcription of Mr Daniel Campbell Minister of Killmichael in Glaſrie and another under the ſubſcription of Angus Maclauchlan Chirurgion in Argyle both teſtifieing and declareing that the ſaid Sir Duncan Campbell is altogether unable to travel from home and unfit to act in affairs by reaſon of his indiſpoſition and unhability under which he is likely to continue and this the ſaid Mr Daniel Campbell and Angus M^c^lauchlan declared upon ſoul and conſcience as the ſaid teſtificats both of the dates the firſt of November inſtant alſo more fully bears Which Petition and desire thereof with the forsaid dimiſsion and conſent under the ſubscription of the ſaid Sir Duncan Campbell together with the said two teſtificats produced be the said Petitioners for instructing of the said petition being upon the day and date hereof read in preſence of and considered by His Majesties High Commiſsioner and the Eſtates of Parliament Therefor and in reſpect of the notoriety of the said Sir Duncan Campbell his circumſtances and his incapacity to ſerve in Parliament as alſo that ſeverall members of Parliament did declare that he owned himselfe to be a papiſt They have Granted and hereby Grant warrand to the freeholders of the ſhire of Argyle to meet and conveen the twenty eight day of this inſtant at the head Burgh of the ſaid ſhire to elect a Commiſsioner to repreſent them in this Parliament And have Appointed and hereby Appoint due intimation hereof to be made through all the paroch Churches of the said Shire upon the Sunday immediatly preceeding the dyet appointed for their meeting.

[Laird of Innes ag^t^ Duke of Gordon]

MOVED that the Petition given in by the Laird of Innes younger Craveing warrand to cite the Duke of Gordon and others be now taken into consideration; And it being objected that the matter was depending before the Lords of Seſsion, After ſome debate the Question was stated whither to grant warrand to cite or remit the tryal of the said objection to a Committie, It carried grant warrand to Cite.

[Woollen Manufactory at Newmilns]

PETITION David Maxwell Maſter at the Woolen manufactory at Newmills and partners Craveing that it may be remitted to the Committie for Trade to bring in an Act for erecting the breaking ſorting and right ordering of fleece wool in a free Incorporation and Manufactory read and remitted to the Committie for Trade.

[Importation of gilded timber]

PROPOSALLS for Henry Hue French Guilder Craveing that the importation of guilded timber work may be conſidered and diſcharged read and remitted to the Committie for Trade.

[French wines]

THE draught of an Act diſchargeing the importation of French wines and all other goods from France read and remitted to the Committie for Trade.

[Makeing of Ale aigre or Vinegar]

PETITION William Barclay merchant in Glaſgow Craveing the grant of makeing ale aigre or vinegar, with the priviledge of a manufactory and that all others be diſcharged to import or make the ſame for ſale, read and remitted to the Committie for Trade.

[Grouth of Popery]

ACT for preventing the grouth of Popery brought in from the Committie read for the second time and the farder Conſideration thereof delayed till the next dyet of Parliament.

ORDERED that the Committies do meet in their usuall places to morrow at nine a clock.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament untill to morrow being Friday at ten of the clock.

NOVEMBER XV, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

Order for burning a pamphlet

A MOTION made that there is a pamphlet diſperſed Intituled Memorial to the members of Parment of the Court party containing high reflections on the Kings Majeſtie the proceedings of

Parliament and government of the Church; and the said pamphlet being produced and ſome parts thereof read It was ordered that the ſaid Memoriall be burnt by the hand of the common hangman at the mercat croſs of this City to morrow at twelve a clock and the Magiſtrats of Edinburgh to ſee this order duely execute And Remitted to the Committie for Security of the Kingdom to inquire who is the author and printer of the said pamphlet.

[Petition Sir David Home of Crocerig anent papers lost at the late fire]

PETITION Sir David Home of Croccrig one of the Senators of the Colledge of Juſtice Craveing that it be remitted to a Committie to take tryal of the matters of fact therein repreſented anent the loſs of his papers at the late fire and to give remeed thereunto read and remitted to the Committie appointed for reviſeing the Minuts.

[Presbyterian Church Government]

THE draught of an Act for Preſbiterian Church Government in relation to their National Synods and General Aſsemblies read; Moved that the conſideration of this Act be delayed for this Seſsion of Parliament And after ſome debate a vote was craved Proceed to the conſideration of this Act or Delay; Moved that before voteing the Act of Parliament in the year 1663 eſtabliſhing a National Synod be read And a new debate ariſeing thereanent it was aggried that the ſtate of the vote be Proceed or Delay and that the ſaid Act 1663 and the Act in the year 1690 Reſcinding the ſame be both read immediatly before voteing, and the said Acts being accordingly read the question was ſtated Proceed to conſider the draught of the ſaid Act now offered, or Delay, and carried Delay.

AND it being moved that the time of the delay be determined the Question was again ſtated, Delay the conſideration of the ſaid Act for this whole Seſsion of Parliament, or not; and Carried in the affirmative.

[Wrongous Impriſonment &c.]

THE draught of an Act for preventing wrongous impriſonments and againſt undue delays in tryals brought in from the Committie for Security, read.

AGGRIED that the draught of the ſaid Act be printed in order to be conſidered by the members of Parliament.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

NOVEMBER XVI, M,DCC.

PRAYERS ſaid Rolls called.

THE Earl of Selkirk excuſed by his Grace His Majeſties High Commiſsioner in reſpect of his neceſsary abſence in attending the Kings perſon.

COMMISSION by the Earl of Selkirk Lord Regiſter to Mr Alexander Gibſon one of his depute Clerks of Parliament to Preſent, Sign and Officiat for him dureing this Seſsion of Parliament, preſented and ordered to be recorded, Of which the tenor follows.

Commiſsion by the Clerk Regiſter to Mr Alexander Gibſon

MINUTS of the laſt Sederunt read.

PETITION Sir Alexander Hope of Kerſe Craveing the recalling of a Summonds directed againſt him at the instance of the heirs of the Earl of Bramfoord, read, and ordered to be ſeen and answered.

[Sir Alexr Hope of Kerse]

HIS Majeſties High Commiſsioner and the Estates of Parliament haveing heard the title of an pamphlet read called A Defence of the Scots abdicating Darien Including an answer to the defence of the Scots Settlement there, and of an other pamphlet intituled A Vindication of the said former pamphlet And also the title of a third pamphlet or ſcurrilous Lampoon called Caledonia or the Pedler turned merchant, And ſome parts of the ſaid ſeveral pamphlets being read, And finding the same to be blasphemous scandalous and calumnious libells reflecting upon every thing that is sacred and upon the honour of this Nation They therefor Ordained and Ordains the ſaid three pamphlets to be brunt by the hand of the common hangman of this City of Edinburgh at the mercat croſs thereof on Munday next at twelve a clock at noon And hereby require the Magiſtrats of this City to ſee and cauſe this order to be put to due execution.

Order for burning some pamphlets

THE Parliament being informed that one Walter Herreis Chirurgeon who went with the Companys firſt ſhips to Darien is author of the firſt two of the said pamphlets They appoint him to be taken

Order for Apprehending Walter Herreis Chirurgeon

into cuſtody wherever he can be apprehended within this Kingdom And ordain the ſum of Six thouſand pounds Scots of reward to be payed by the Lords Commiſsioners of his Majeſties Thesaury to any who ſhall apprehend the perſon of the ſaid Walter Herreis and deliver him to any Magiſtrat within this Kingdom in order to be tryed and brought to justice, And Recommends to the Lords of Privy Councill to publiſh a Proclamation thereanent; And alſo Recommends to the Secretaries of State to repreſent to the King the Parliaments proceedings in relation to the said Walter Herreis that His Majestie may be pleaſed to testifie his diſpleaſure againſt him.

[Grouth of Popery] THE draught of an Act brought in from the Committie of Security for preventing the grouth of Popery, read, and there being ſeveral amendments propoſed, the ſame was again read by paragraphs and upon debate as to that part of the Act anent the popiſh heirs being incapable to succeed to any heretable Eſtate after the age of fifeteen yeârs untill they purge themſelves of popery The Question was stated Approve of the clauſe as it ſtands in the Act or Alter, and carried Approve.

AND another paragraph of the said Act being read anent the number of years allowed to popiſh heirs excluded to renunce popery after incurring the irritancies therein mentioned After ſome reaſoning thereupon the queſtion was stated whither the ſpace allowed ſhall be ten or twenty years, and Carried ten years.

THE farder consideration of the said Act continued till the next dyet of Parliament.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Munday next at ten of the Clock.

NOVEMBER XVIII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Grouth of Popery] THE Consideration of the Act for preventing the grouth of Popery again reſumed and ſeveral paragraphs thereof read; an additional clauſe was offered for regulating the transmiſsion of the titles of honour of papiſts; And after debate a queſtion being stated whither a clauſe regulating the ſaid tranſmiſsion be added to this Act or if a new distinct Act be brought in thereanent, it Carried a new Act to be brought in

OVERTURE that a clauſe be added to the Act in relation to the imploying of perſons who now are or ſhall be papiſts and thereafter turns proteſtants in places of publiet truſt; And the said Overture being again given in and read, after ſome reaſoning thereupon it was remitted to the Committie for Security of the Kingdom to bring in a diſtinct Act anent the ſaid clauſe and what other Acts ſhall be thought neceſsary for the farder Security of the Proteſtant Religion.

THEREAFTER the ſaid Act for preventing the grouth of Popery with the ſeveral amendments made thereupon being again read, It was put to the vote Approve or not, and carried Approve.

THE draught of the Act for preventing wrongous impriſonments and againſt undue delayes in tryalls brought in from the Committie for Security, read for the firſt time. [Wrongous Imprisonment &c.]

OVERTURE anent the diſcovery of the exporters of linnen yairn, read and remitted to the Committie for trade. [Linen Yarn]

DRAUGHT of an Act prohibiting the tranſporting of the Subjects of this Kingdom to forraign plantations read, and Remitted to the Committie for Security of the Kingdom. [Transporting of Subjects to the Plantations]

PETITION Mathew and Daniel Campbells Merchants in Glaſgow Craveing the erecting of a Suggar Manufactory and a Manufactory for Distilling of Brandie and strong Waters read and Remitted to the Committie for Trade. [Manufactories of Sugar & Brandy at Glasgow]

PETITION James Cowan Merchant in Edinburgh for makeing of vinegar, and erecting the ſame in a manufactory, read, and Remitted to the Committie for Trade. [Vinegar Manufactory]

ORDERED that the Committies meet at their uſual places to morrow at nine a clock.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Wedneſday next at ten of the clock.

NOVEMBER XX, M,DCC.

PRAYERS said. Rolls called.

MINUTS of the laſt Sederunt read.

[Election for Wigton] MOVED that the Committie for Contraverted Elections be appointed to meet and examine the witneſses in relation to the election of the ſhire of Wigtoun; and ordered that the ſaid Committie meet to morrow morning.

[Members leaving the House] MOVED that effectual methods be fallen upon for reſtraining the members of Parliament from leaveing the houſe untill the Parliament be adjourned, and agried that any member bring in an Overture thereanent in order to be conſidered in Parliament or Remitted to a Committie.

[Custom for Marble] PETITION Sir Patrick and James Ogilvies elder and younger of Boyne Craveing the diſcharge of the exacting of cuſtome or tunnage for marble found in their own ground which they ſhall export And that the importing of all forraign marble be diſcharged, read and Remitted to the Committie for Trade.

[Ker ag^t Sir James Cockburn of that Ilk] PETITION Sir James Cockburn of that Ilk Craveing that a proceſs at the inſtance of John Ker of Moriestoun againſt him which has long depended before Committies of Parliament be remitted to be diſcuſt before the Lords of Seſsion, read and ordered to be ſeen and anſwered.

[Act for preventing wrongous imprisonment &c.] THE draught of the Act brought in from the Committie for preventing wrongous impriſonments and againſt undue delayes in tryalls read, and the draught of the Overture thereanent preſented in Parliament in the year 1698, and remitted to the Committie for Security likewayes read.

AND the ſaid Act brought in from the Committie being again read in paragraphs; It was agried that there be an clauſe added Extending the benefite of this Act to wrongous Confinements before tryal as well as to wrongous impriſonments: It was alſo moved that there be a clauſe added to the Act appointing the informer to give his oath of calumny and likewayes that he ſigne his information; And after debate the Question was Stated if a Clauſe ſhall be added that the informer ſhall give his oath of Calumny yea or no and Carried in the negative: And again the Question being ſtated if a Clauſe ſhall be added that the informer ſhall ſigne the information yea or no, and Carried in the affirmative, And the farder conſideration of the ſaid Act continued untill the next dyet of Parliament.

THE Committies ordered to meet to morrow preciſely at eight of the clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

NOVEMBER XXI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Woolen Manufactory at Muſsilburgh] DRAUGHT of an Act for erecting a woolen manufactory at Muſsillburgh with the ſame priviledges and liberties that are granted to other manufactories in the Kingdom read and remitted to the Committie for Trade.

[Drying of Malt &c.] PETITION Thomas Mitchell in Saltcoats Craveing the priviledge of drying and prepareing of Malt and brewing of ale and bear in a new manner read and remitted to the Committie for Trade.

[Thomas Robertsons loſses by the late fire] PETITION Thomas Robertſon eldeſt ſon to the deceaſt Baillie Robertſon Craveing that the Parliament may take to their conſideration his sad and miſerable condition by reaſon of his loſses ſuſtained by the late fire and grant the Petitioner ſuch relief as they ſhall think fit read and remitted to the Committie for elections.

[Planting of Kirks & providing the Poor] MOVED that the Overture formerly given in and read for planting of Kirks and provideing the poor be either considered in plane Parliament or remitted to a Committie, and the same remitted to the Committie for Security.

[Herring fishing] OVERTURE for a Herring fiſhing on a National account, and that it be promoted on a National ſtock read and remitted to the Committie for Security.

[The Coyn] A PROPOSAL for regulating the Coyn of this Kingdom read and remitted to the Committie for Security.

[Land Credit] MEMORIAL relateing to Land Credit preſented by Doctor Hugh Chamberland, read and remitted to the Committie for Security.

[Wrongous imprisonment] THE Conſideration of the Act brought in from the Committie for preventing wrongous impriſonments &c. reſumed and ſeveral paragraphs thereof being read, and a debate ariſeing anent the time to be allowed the Judge for cognoſceing if the crime be bailable and for modifieing the ſum for which the bail is to be taken; The Queſtion was thereupon ſtated as to the time whither inſtantly or within twenty four hours and Carried within twenty four hours; And several amendments being made upon other paragraphs of the ſaid Act the farder consideration of the reſt of the Act was delayed till the next dyet of Parliament.

THE Lord Chancellar by order of his Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

NOVEMBER XXII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Erskine ag^{t} Counteſs of Kincardine] PETITION Livetennant Collonell John Erſkine againſt the Counteſs of Kincardine anent her protestations made againſt him for remeid of Law, read, and ordered to be ſeen and answered betwixt and Friday the twenty ninth of November Inſtant.

Act in favors of Mr William Seton of Pitmedden author of the pamphlet burnt by order of Parliament of the 15 Novr instant ANENT the Petition of Mr William Seton of Pitmedden younger humbly Shewing unto his Grace His Majeſties High Commiſsioner and the right honourable Eſtates of Parliament that the Petitioner is moſt humbly and heartily ſory that ever he ſhould have had the misfortune to have written or been the author of the pamphlet which is ſo offenſive to his Grace and the right honourable Eſtates of Parliament And doth with all ſubmiſsion and duty humbly beg pardon therefore from his Grace and the honourable Eſtates Protesting that as the petitioner had no siniſtruous or bad designe therein so he never intended any offence whatſomever by the ſame And seing he did at his firſt calling befor the Committie for Security very humbly & ingenuouſly acknowledge his fault without any probation or farder trouble to them And that now he does put himſelfe in will of his Grace and right honourable Eſtates promiſeing to be more circumſpect for the future Therefor humbly Craveing his Grace and right honourable Eſtates of Parliament to admit of the petitioners humble confeſsion and submiſsion and excuſe his fault whereof he is so ſenſible And ordain the petitioner to be ſet at liberty out of the Tolbuith of Edinburgh where he is impriſoned by order of the forsaid Committie as the ſaid Petition bears Which being considered by His Majesties High Commiſsioner and the Eſtates of Parliament and they haveing ordered the petitioner to be brought out of priſon to the barr and there he haveing humbly acknowledged his offence on his knees and craved pardon therefor they in respect thereof have Discharged and hereby Discharge the petitioners impriſonment And have Ordered and hereby Orders him to be set at liberty.

[Forraign Trade] DRAUGHT of an Act brought in from the Committie of Trade Rescinding the twenty seventh Act of the Parliament 1663, anent the ordering and diſpoſal of forraign trade, read for the firſt time.

[Act against Profaneneſs] DRAUGHT of an Act from the Committie for Security againſt profaneneſs read for the firſt time, and the draught of the ſaid Act appointed to be printed in order to be conſidered by the members of Parliament.

[Protests for remeid of Law] OVERTURE for an Act regulating Protests for remeed of Law read, and remitted to the Committie for Security.

[Wrongous Imprisonment] THE draught of the Act brought in from the Committie for preventing wrongous impriſonments being again proceeded in; After some amendments made thereon, the farder consideration of the reſt of the ſaid Act was adjourned till the next dyet of Parliament.

ORDERED that the Committies do meet to morrow at Eight a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

NOVEMBER XXIII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

Act in favors of Sir Alexander Hope of Kerse ag^{t} the heirs of the Earl of Bramfoord ANENT the Petition of Sir Alexander Hope of Kerſs Humbly Shewing unto his Grace His Majesties High Commiſsioner and High Court of Parliament that where there being a reduction intented at the petitioners instance befor the Parliament of ane Decreet obtained at the instance of the heirs of the Earl of Bramfoord againſt me which being remitted to a Committie of the Parliament Upon their report the Parliament did remit the ſame to the Lords of Seſsion with an Parliamentary power to reviſe the Decreets Craved

to be reduced and determine therein as they ſhould ſee cauſe And their Lordſhips did by their Decreet in February I^m vj^c^ and ninety eight years Aſsoilzie the petitioner from any further payment of the Sums acclaimed by the said heirs (againſt which there being no appeal made as the ſamen could not have been by the quality the ſame was remitted) yet nevertheleſs they did give in a bill to the Parliament in Auguſt I^m vj^c^ and ninety eight Craveing a Warrand for Summoning the Petitioner before the Parliament which was inadvertently paſsed amongſt the common bills and thereupon the Petitioner was Cited And in reſpect the Decreet of the Lords aſsoilzieing the Petitioner as said is being by a Parliamentary power and no appeal made as there was no place for any upon a remit with the forſaid quality And consequently the warrand for citeing the Petitioner being both groundleſs and illegall, Therefor humbly Craveing that his Grace and the Eſtates of Parliament would ordain their Clerk to Recall the Summonds and grant Warrand to the keepers of the Signet to give up the Bill which is the warrand thereof to be cancelled that there be no ground of any further trouble againſt the petitioner as the said petition bears Which being upon the Sixteenth day of November inſtant read in preſence of His Majeſties High Commiſsioner and the Eſtates of Parliament they ordained the Earl of Bramfoords heirs to ſee and anſwer the ſame And His Majeſties said Commiſsioner and the ſaid Eſtates of Parliament haveing this day considered the ſaid petition and there being no anſwers made thereto they have Recalled and hereby Recall the abovementioned Summonds And have Granted and hereby Grant warrand to the Keepers of the Signet to give up to the petitioner the bill which is the warrand thereof to the effect abovewritten.

[Butchers & Graziers] DRAUGHT of an Act againſt Butchers being Graziers read for the firſt time and ordered to ly on the table.

[Paton of Panholls] PETITION William Patoun of Panholls Craveing the Parliament to consider the reporf of his damnadges ſuſtained by the rebells in the year 1689, and to adviſe the probation read, and Remitted to the Committie for elections.

[Acts touched with the Scepter] THE Act for secureing the Protestant Religion, and Preſbiterian Government, And the Act for preventing the grouth of Popery both touched with the Scepter by His Majeſties High Commiſsioner in the usual manner, Of which two Acts the tenors follow.

ACT for Secureing the Protestant Religion & Presbyterian Government

OUR SOVERAIGN LORD with the advice and consent of the Eſtates of Parliament Ratifies Approves and perpetually Confirms all Laws Statutes and Acts of Parliament made for the eſtabliſhing maintaining and preserveing of the true reformed Protestant Religion and for the true Church of Chriſt as at preſent owned and settled within this Kingdom; As likewayes for Eſtabliſhing Ratifieing and Confirming the Preſbiterian Church Government and discipline that is to say the Government of the Church by Kirk Seſsions, Preſbitries Provincial Synods, and General Aſsemblies to be agreeable to the Word of God and the only government of Chriſts Church within this Kingdom And particularly without prejudice of the generality forſaid His Majestie with advice and conſent forſaid Ratifies Approves and Confirms the fifth Act of the Second Seſsion of this current Parliament intituled Act Ratifieing the Confeſsion of Faith, and Settleing Presbiterian Church Government in the haill heads articles and clauſes thereof as if at length herein set down; But prejudice, nevertheleſs to the twenty seventh Act of the fifth Seſsion of this present Parliament Intituled Act concerning the Church as to the allowance therein given to certain Ministers not actually aſsumed by the ordinary Church Judicatures under the conditions and proviſions allwayes expreſt in the ſaid Act. 2

ACT for preventing the grouth of Popery

OUR SOVERAIGN LORD considering the hazard that threatens the true Protestant Religion as at present settled and eſtabliſhed within this Realm and may ensue by the increaſe and grouth of Popery and the reſorting and resetting of Jesuits prieſts and trafficking papiſts within the ſame if not timeouſly and duely prevented and restrained Doth therefor with advice and conſent of the Eſtates of Parliament Revive Ratifie and perpetually Confirm the Seventy firſt Act of the Sixth Parliament of King James the Sixth, intituled Act anent the youth and others beyond ſea ſuſpected to have declined from the true Religion; and the one hundreth and fourth Act of the Seventh Parliament of King James the Sixth intituled Act againſt paſsing in pilgrimage to Chappells Wells Croſses &c. and the twenty ſixth Act of the fifth Seſsion of this preſent Parliament intituled Act dischargeing popiſh perſons to prejudge their protestant heirs in Succeſsion and all other Laws Statutes and Acts of Parliament made againſt popery and papiſts and specially againſt 3

Jesuits Seminaries Maſs prieſts and Trafficking papiſts, and their abode, reset, and their resetters within this Kingdom As alſo against all sayers and hearers of maſs and ſuch as ſhall be preſent at maſs and all concealers of the ſame in the haill heads tenors and contents thereof and as if the ſamen were herein fully set down and expreſt Dispenſeing with the generality and Willing and Ordaining the whole forsaid Acts and Statutes to be put to due and vigorous Execution in all points And farder His Majestie with advice and conſent forſaid Statutes and Ordains that whoſoever ſhall diſcover and seize any priest Jesuit or trafficking papiſt or resetter of any prieſt Jeſuit or trafficking papiſt, ſo as they ſhall be convicted, upon certificat of the said seizure and conviction by the Judge or Clerk of the Court before whom the conviction ſhall be made (and which Certificat is to be given gratis) shall have the Sum of fyve hundred merks over and above his expences for his reward, And that the Lords of His Majeſties Theſaury cauſe pay the ſame to him immediatly upon production of the forſaid Certificat or in caſe of delay of payment that he shall have summar action for recovery of his said reward befor the Lords of Seſsion againſt the Generall Receiver for what may be in his hand or the firſt and readiest that may come to his hand and that his discharge ſhall be to the said Generall Receiver a ſufficient Exoneration And ordains all Judges and Magistrats to whom the said papiſts shall be preſented to receive and detain him priſoner and tranſmit what information they receive againſt him to his Majesties Advocat And becauſe such is the malice and subtilty of the said Jesuit prieſts and trafficking papists that they disguiſe themſelves and cover their evil practiſes as much as poſsible and through the difficulty of probation do often evade the due pains of Law Therefor it is farder Statute and Ordained for facilitating the forſaid Conviction that if it ſhall be proven that the prieſt Jesuit or trafficking papiſt brought in question was held and repute to be a Jesuit, prieſt, or trafficking papiſt or if it ſhall be proven that he has changed his name or sirname and goes under another name and with one or other of these alternatives shall refuſe to purge himſelfe of popery in the form and manner after mentioned it ſhall be ſufficient ground for the Lords of His Majesties Privy Councill to baniſh him furth of the realme with Certification that if ever he return thereto being ſtill papiſt he ſhall be puniſhed with the pain of death; which Certification if incurred by the forſaid perſons return either contrare to the said Sentence or contrare to his consent to his own baniſhment under the said certification the ſame with his actuall return proven ſhall inferr againſt him and render him lyable to the forsaid pain of death and be a ſufficient ground and warrand for the Lords of His Majesties Justiciary to inflict the said puniſhment of death with the Eſcheat of his moveables upon him sicklike as if he had been convicted of actual ſaying of maſs upon any of the forſaid Statutes that makes the saying of maſs puniſhable by death: And His Majeſties Advocat on information is required as he will be answerable to prosecute perſons ſuſpect to be Jesuits, priests or trafficking papists and the Privy Councill to inflict the said puniſhment. And for the better conviction of hearers of maſs it is furder Statute and Ordained that if any person be found in any meeting where there is either altar maſs book or veſtments or Popiſh images or other popiſh trinckets or inſtruments of superstition and withall ſhall refuſe to purge himſelf of popery in manner aftermentioned it ſhall be a ſufficient ground for the Lords of His Majesties Privy Councill to baniſh him furth of the Realm under what certification even to the pain of death incluſive they ſhall think fit and that the incurring of the said certification by the perſon baniſhed his return shall inferr againſt him befor the Lords of Council or Justiciary respective the pains therein contained And whoſoever ſhall discover or seize the ſaid baniſhed priest after his return and deliver him priſoner in manner forſaid ſhall have the said sum of five Hundred merks for his reward and the same execution for recovery thereof as is above provided and that without prejudice of all former Laws and Acts of Parliament inflicting the pain of death upon hearers and sayers of maſs and others againſt Papiſts And His Majestie with advice and consent forſaid doth hereby not only Ratifie the Eight Act of the Parliament 1661, Intituled Act against Papists, Priests and Jesuits and appointing Children under Popiſh Parents Tutors and Curators to be taken from them and committed to the education of some well affected religious kinsmen at the sight and by order of His Majesties Privy Council, But further Declares that it ſhall be competent to any of the Protestant Relations of the forſaid Children to purſue to have their education committed in manner above specified; And that failgieing the said Protestant Relations His Majesties Advocat or Solicitor may prosecute the said action by themſelves without concurrance of the said relations And the Lords of His Majesties Privy Council or Lords of Seſsion are hereby impowered summarly to appoint and ordain such aliment to be payed to the perſon to whom the said education ſhall be committed out of the Eſtate and means of the perſon educat or their parents as they ſhall think meet And to the effect that the forſaid matter of education may be better seen to His Majestie and Eſtates of Parliament Recommend to the Preſbitries within the Kingdom to send in termly liſts and informations to one of the Clerks of His Majesties Privy Council of what Children are under popiſh Parents Tutors Curators or other papists within their respective bounds that their education may be provided for as said is And farder for the

better restraining of the forsaid pernicious grouth of popery His Majestie with advice and consent forsaid doth hereby Statute Ordain and Declare that in all time comeing no profest papist who being suspect thereof shall refuse to purge themselves of popery in the form and manner after set down shall be capable to purchase and enjoy by any voluntar disposition or deed that shall be made to them or any person in trust to their behoove any lands houses tenements annualrents or other real rights or tacks of lands or teinds But that the said voluntar dispositions and deeds with all that shall follow thereupon shall eo ipso become void and null to all intents and purposes and the right thereof remain with the disponer or granter his heirs & assigneyes sicklike as if the same had not been made nor granted Neither shall any action be competent to the said papists or any interposed person for their behoove upon the warrandice nor for restitution or repetition of the price or other onerous causes of the deed in their favors or for their behoove. And sicklike His Majestie with advice and consent forsaid Statutes Enacts and Declares that no person or persons professing the Popish Religion past the age of fifeteen years shall hereafter be capable to succeed as heirs to any person whatsomever nor to bruick or enjoy any estate by disposition or other convoyance flowing from any person to whom the said papist might succeed as heir any manner of way untill the said heirs purge themselves of popery in manner after mentioned And if any person or persons educated in the popish religion shall happen to succeed as heirs to their predecessors or any conyovance shall happen to be made in their favors from a person to whom they might succeed as heirs before they attain the said age; then and in either of these cases they shall be holden and oblidged to purge themselves of popery before they attain to the said age of fifeteen years And in these cases or either of them viz. if the Succession devolve to any papist after the age of fifeteen years or any convoyance shall happen to be made in their favors from any person to whom they might have succeeded, or the right devolved to them by Succession or other Convoyance before that age and they neglect or omit to renunce popery as said is then and immediatly thereafter their right and interest in or by the forsaid Succession or Convoyance shall become void and null and shall devolve and belong to the next protestant heir or heirs who would succeed if they and all the interveening popish heirs were naturally dead; And it shall be lawfull to the said protestant heir or heirs to serve heir to the defunct to whom the interveening papist might have succeeded by vertue of this Act and the irritancie incurred by the interveening popish heir or heirs Which protestant heir or heirs shall have right to the said Estate and profites and maills and duties thereof from the incurring of the irritancy ay and while the forsaid person or persons excluded or their heirs shall purge themselves of popery in manner forsaid In which case they shall be immediatly reponed to their right and possession of the Estate from which they were excluded in the same condition as it was the time of their exclusion the interveening rents and profites belonging to the protestant heir or heirs without being lyable to compt therefor with the burden of the current annualrents of the debts Provideing allwayes that the forsaid exclusion shall be without prejudice to their lawfull Creditors anterior to the exclusion only and to the Creditors of their predecessors from whose Succession they are excluded And farder His Majesty with advice and consent forsaid Statutes Enacts and Declares that it shall not be lawfull to any papist to grant any gratuitous Disposition of his heretage or any part thereof or any gratuitous bond or other gratuitous deeds to the prejudice of his heir or heirs; Declareing all such dispositions bonds or other deeds to be void and null excepting in so far as concerns his person and moveable Estate allennarly And his Majestie with advice and consent forsaid Statutes. Enacts & Declares that the proper debts and deeds of the protestant heir or heirs succeeding as aforsaid shall no wayes affect the foresaid Estate but the same shall return in the same condition as it was at the time the Succession devolved to the protestant heir or heirs with the burden allwayes of the just and lawfull debts payed by the protestant heir or heirs or Securities granted by them for the said debts which shall really burden and affect the said Estate not reckoning the current annual rents so that the benefite of the free rent over and above the current annual rent shall belong to the protestant heir or heirs And in case the protestant heir or heirs to whom the succession shall devolve do not prosecute their right by service or other legal mean to affect the Succession within the space of two years after the irritancy is incurred then there shall be access to the next protestant heir or heirs to whom the like space is allowed to prosecute their right and if they failzie to the remoter heir or heirs on the like conditions ay and while the right be effectually established in the person of a protestant heir or heirs who by owneing and establishing their title shall have right to all the profites after incurring of the irritancy; And if the popish heir or heirs excluded do not renunce popery as aforsaid within the space of ten years after the irritancy is incurred (not reckoning the years of minority in the said ten years) they and their heirs shall be for ever excluded: Provideing allwayes and Declareing that all Estates whatsomever devolved in manner and for the causes forsaid shall be devolved transferred and belong to the succeeding protestant heir with and under the tailzies conditions irritancies and clauses resolutive contained in the rights of the said Estates as they stand or shall stand in the person

of thoſe to whom they ſhall succeed on the grounds and for the reaſons forſaid the ſame being conſiſtent with and agreeable to this preſent Act and the other Laws of the Kingdom And for preventing all frauds by latent or antedated diſpoſitions His Majestie with advice forſaid doth Statute & Declare that no diſpoſition or other voluntar right in favors of a papiſt flowing from a perſon to whom the said papiſt may succeed as heir shall be of any force or effect though anterior to the date hereof unleſs the ſaid diſpoſition or other right has taken effect by infeftment or poſſeſsion or produceing the ſame judicially in proceſs before the date hereof. And His Majeſtie with advice and conſent forſaid Statutes Enacts and Declares that all diſpoſitions donations legacies or other deeds in favors of Cloyſters or any other popiſh Societies or to any perſons to their behoove ſhall be void and null in ſo far as concerns the said Cloyſters or popiſh Societies but the ſame ſhall ipſo facto fall and accreſce to the neareſt Proteſtant relation to the giver at the time when the said diſpoſition donation legacy or other deed were destinat to be effectual As alſo His Majeſtie with advice & conſent forſaid Statutes Enacts and Declares that no adjudication at the inſtance of any papiſt or for his behove ſhall at any time expire in the perſon of a papiſt but ſhall only subſiſt for security of the ſums truely due with the ordinary annualrent thereof provideing that the ſaid adjudication may expire within year and day after the ſame comes to be eſtabliſhed in the perſon of a protestant heir or aſsigney and the ordinar legal run, Neither ſhall any adjudication or other real diligence be competent at the inſtance of a papiſt or for his behove upon a gratuitous bond or any other gratuitous debt or deed whatſoever. And His Majestie with advice and conſent forsaid Ordains the forsaid Renunciation of popery to be made according to the Formula hereto subjoyned in presence of the Lords of His Majesties Privy Council or whom they ſhall appoint or in preſence of the preſbitry of the bounds where the party resides for the time; and that the ſame be Signed and Recorded in the Books of the Judicature before whom the said declaration ſhall be judicially made and signed and to be reported by the Preſbitry to one of the Clerks of the Privy Council within fourty dayes And in like manner it is hereby Statute and Enacted that if any perſon profeſsing the true Proteſtant Religion as now eſtabliſhed within this Kingdom ſhall apoſtatiſe from the ſame by profeſsing the popiſh religion or practiſeing the idolatries or superstitions thereof as a papiſt he ſhall thence and from that time furth Forfault his whole heretable Eſtate to his next heir in Law being proteſtant sicklike as if he were naturally dead: But prejudice allwayes to lawfull anterior Creditors both as to the perſon apoſtatizeing himſelfe and his Eſtate and Succeſsion therein in any ſort And for avoiding all questions anent the next protestant heir in caſe the next heir or heirs to the perſon excluded ſhould happen to be infants or within pupillarity It is hereby declared that the said next heir or heirs within pupillarity shall be reckoned protestant heirs though of popiſh parents in caſe they be under the education of protestants But if the said pupill heir or heirs be under the education of papiſts they shall be reckoned popiſh heirs and hereby excluded untill they renunce popery as aforſaid And laſtly His Majeſtie with advice and conſent forſaid Statutes Enacts and Declares that for preventing all seduction by papiſts no perſon profeſsed or ſuſpected to be papiſts shall be capable to be imployed in the education of youth or the truſt or management of their affairs: And especially that none such ſhall be capable to be Governours Chaplains Pedagogues or Schoolmaſters Tutors or Curators Chamberlains and Factors and that none preſume to imploy papiſts or such as are ſuſpect of popery in any of the said truſts untill firſt they purge themſelves of popery and sign the formula aftermentioned under the pain of ane years valued rent or one thouſand merks in caſe the valuation be leſs or that the imployer be not an heritor toties quoties And all such Commiſsions Tutories or Curatories to be void and null neither ſhall it be allowed to any profeſsed or ſuſpect papiſt to teach any art science or exerciſe of any sort either in families or out of them or to young or old Nor ſhall any papiſt be entertained as a domeſtick ſervant by any proteſtant under the pain of five hundred merks to be incurred by each of the ſaid offenders who ſhall preſume in the contrare; And which pain of a years valued rent, a thouſand merks or five hundred merks reſpective may be purſued for by any proteſtant ſubject and upon conviction ſhall pertain to the purſuer for his reward.

Followes the Formula

I Do sincerely from my heart Profeſs and Declare before God who ſearcheth the heart that I do deny diſown and abhore theſe tenets and doctrines of the Papal Romiſh Church viz. The Supremacy of the Pope and Biſhop of Rome over all Paſtores of the Catholick Church His power and authority over Kings Princes and States and the infallibility that he pretends to either without or with a General Council His power of diſpenſeing and pardoning, The doctrine of Tranſubſtantiation and the corporal preſence with the Communion without the Cup in the Sacrament of the Lords Supper, The adoration and ſacrifice profeſsed and practiſed by the Popiſh Church in the Maſs The Invocation of Angells and Saints The worſhiping of images croſses and relicts The doctrine of supererogation Indulgences and Purgatory and the service and worſhip in ane unknown tongue: All which tenets and doctrines

of the ſaid Church I believe to be contrary to and inconſiſtent with the written Word of God; And I do from my heart Deny Disown and Diſclaim the said doctrines and tenets of the Church of Rome as in the preſence of God without any equivocation or mental reſervation but according to the known and plain meaning of the words as to me offered and propoſed, So help me God.

[Anent Capitall Crimes]

OVERTURE that an Act be brought in defineing and declareing what Crimes are capital and what not And likewayes for clearing what crimes inferr the pain of treaſon, and the ſame remitted to the Committy for reviſeing the minuts.

[Wrongous Imprisonment]

THE consideration of the Act againſt wrongous impriſonments again proceeded in, and that paragraph thereof anent the pains to be inflicted on perſons guilty of wrongous impriſonment read After debate a vote was propoſed If the Committer ſhall be lyable to incapacity of publict trust over and above the pecunial mulcts yea or no Moved by others that a diſtinction be made betwixt superior and inferior Judges as to the pains of wrongous committments and a previous vote craved to diſtinguiſh the Judges yea or no, And. after reaſoning as to the ſtate of the vote the Queſtion was put Cognoſce as to the Committer or Diſtinguiſh the Judges and carried Cognoſce And thereafter a vote being ſtated if the Committer ſhall be lyable to incapacity over and above the pecunial mulcts yea or no, it Carried in the negative; And ſome amendments being made on the ſaid Act the farder conſideration thereof was delayed untill the next dyet of Parliament.

THE ſeveral Committies appointed to meet in their uſual places on Monday next at nine a clock in the morning.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Tueſday next at ten a clock.

NOVEMBER XXVI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Shire of Wigton]

MOVED that the Committie for Elections be appointed to meet to bring in a report anent the election of the Shire of Wigtoun and the ſaid Committie ordered to meet and bring in the ſaid report.

[Poor of Edinburgh]

PETITION the Magiſtrats of Edinburgh in behalf of their poor Craveing an impoſition upon careadges of oxen ſheep and others sold in their mercats to make up a ſtock for maintaining of their Poor, read, and ordered to ly upon the table.

MOVED that it be remitted to the Committie for Security to bring in an Act for the better maintaining of the poor, and repreſsing of Beggars, and the ſame remitted accordingly.

[Custom of Marble]

DRAUGHT of an Act from the Committie of Trade in favors of Sir Patrick and James Ogilvies of Boyne relating to the marble found in their ground read for the firſt time.

[Importation of Brandy &c]

OVERTURE for diſchargeing the importing of Brandie and other ſtrong waters read and remitted to the Committie for Trade.

[Forraign Woollen Manufactures]

DRAUGHT of an Act from the Committie for Trade for prohibiting the importing uſeing or wearing of all forraign woolen manufactures read for the firſt time and ordered to be printed in order to be conſidered by the members of Parliament.

[Exportation of Wool]

OVERTURE for reviveing all former Laws and Acts of Parliament and Privy Council againſt the exportation of wool and ſkins with wool and of new ſtrictly prohibiteing the exportation thereof, read, and remitted to the Committie for Trade.

[Act for preventing wrongous Imprisonment]

THE draught of the Act from the Committie for preventing wrongous impriſonment again taken to conſideration and a Clauſe offered that the Act ſhall be without prejudice to inferior Judges Magiſtrats or Juſtices of Peace to impriſon in order to tryal perſons diſobedient and contumacious to church cenſures and perſons found acting in tumults and other tranſgreſsours mentioned in the ſaid clauſe; As to which caſes it ſhall be lawfull to proceed as formerly the perſons impriſoned haveing allwayes relief by finding baill and demanding a tryal in manner expreſt in the Act Which clauſe being read, after reaſoning thereupon it was put to the vote add the clauſe to the Act or not, and Carried in the affirmative.

MOVED alſo that another clauſe be added, that in caſe of imminent or actual invaſion rebellion or inſurrection Committment might proceed by order of the Privy Council or any five of their number upon ſuſpicion of acceſsion without being lyable to any penalty for the ſaid Committment the perſon impriſoned haveing his relief as ſaid is And after debate thereanent the queſtion was ſtated add the ſaid clauſe or no; and Carried in the affirmative.

MOVED that the pains of wrongous impriſonment be six thouſand pounds for a Nobleman four thouſand pounds for a landed Gentleman, two thouſand pounds for any other Gentleman or Burgeſs and four hundred pounds for other perſons: And the Queſtion being stated as to that clauſe in the Act, Approve or not, carried Approve.

ALSO moved that an clauſe relateing to the wrongous detainer be alſo read whereby the dayly penalties payable to the partie impriſoned are modified to the ſums following viz. a hundred pounds each day for a Nobleman a hundred merks for a landed Gentleman fifty merks for every other Gentleman or Burgeſs, and ten merks for other perſons not to be leſsened by any authority whatſomever, And farder that the wrongous detainer ſhall loſe his office and be incapable of publict truſt Which clauſe being accordingly read, was put to the vote Approve or no and carried Approve.

LIKEWAYES another Clauſe read, extending the Act for preventing wrongous impriſonments to the caſe of all confinements not conſented to by the party or inflicted by ſentence after tryal and diſchargeing all cloſe impriſonments beyond the space of eight dayes from the Commitment; The clauſe was agried to, and farder agried that the time for purſueing proceſses for wrongous impriſonments be within the ſpace of three years otherwayes that the ſame ſhall preſcribe. Moved that a clauſe be added to the ſaid Act againſt the tranſportation of any perſon furth of the Kingdom without their own conſent or by ſentence, and agried that a clauſe be added thereanent.

ALSO moved that a clauſe be added to this Act for secureing of members of Parliament from impriſonments dureing the ſitting thereof except by order of Parliament. Moved alſo that it be remitted to a Committie to bring in a particular Act upon the ſaid clauſe, And after some reaſoning thereanent the farder conſideration thereof delayed till the next dyet of Parliament.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

NOVEMBER XXVII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Shire of Wigtoun] ORDERED that the Committie of Elections do meet to morrow at nine a clock in the morning preciſely in order to prepare a report as to the election of the Shire of Wigtoun, and that the ſaid report be brought in and offered in Parliament at their next Sederunt.

[Anna Cockburn] PETITION Anna Cockburn daughter to the deceiſt Patrick Cockburn of Borthwick Craveing that it may be remitted to a Committie to take tryal of the matters of fact therein repreſented anent the loſs of her papers at the late fire and to give remeed thereto, read and remitted to the Committie appointed for reviſeing the Minuts.

[John Schochan] MOVED that the petition formerly given in and read for John Schochan Craveing a grant for makeing arras hangings and that the ſame may be erected in a manufactory might be remitted to ſome Committie, and the ſame remitted to the Committie for Trade.

[Anent Noblemen voting in Parl^t] DRAUGHT of an Act as an Overture that no Nobleman hereafter ſhall be allowed to sit and vote in Parliament unleſs he have an Eſtate within this Kingdom of the value mentioned in the Overture, read & remitted to the Committie for Security.

[Manufactory of Shearing Hooks &c.] PETITION John Corſs elder merchant in Glaſgow Craveing that his work of makeing ſhearing hooks &c. be erected in a manufactory, and alſo that they may have a linnen and woolen manufactory erected with the ſame liberties and priviledges that are granted to other manufactories read and remitted to the Committie for Trade.

[Manufactory of Brandie from Malt] PETITION Alexander Monteith Chirurgeon in Edinburgh Craveing that the art diſcovered by him to draw Spirits from malt equal in goodneſs to true French Brandie may be declared a manufactory with the ſame priviledges and immunities as are granted to other manufactories read and remitted to the Committie for Trade.

[Manufactory of Worsett at Pauls Work &c.] PETITION the undertakers of the manufactory of worſett and other Stuffs at Pauls work and Bonningtoun Craveing that they and whom they ſhall aſsume may be erected in a Society with all priviledges and liberties granted to other manufactories, read, And upon a motion it was ordered that the Magiſtrats of the Toun of Edinburgh ſee the ſame.

[Wrongous Imprisonment] THE conſideration of the Act for preventing wrongous impriſonment again proceeded in; And the Clauſe that no perſon be tranſported furth of this Kingdom except with his own conſent given

before a Judge, or by legal Sentence, read; and the ſaid clauſe being put to the vote Approve or no carried Approve.

MOVED that there be a clauſe added to this Act That no member of Parliament attending ſhall be impriſoned or confined on any account whatſomever dureing a Seſsion of Parliament without warrand of Parliament Reſerveing to the High Conſtable and Mariſchal their priviledges and juriſdictions in time of Parliament as formerly unleſs any member commit a capital crime: And the ſaid clauſe read. Moved alſo that the addition following be put to the ſaid clauſe viz. That if there be a manifeſt hazard of the peace any magiſtrat may attach for ſecureing of the perſon or the peace and deliver the perſon to the cuſtody of the Conſtable in order to the Parliaments cognition the next Sederunt; and the ſaid Clauſe with the addition being alſo read, The Queſtion was ſtated whither to add the firſt clauſe to the Act or the second containing the ſaid addition and Carried the second

AND the ſaid Act being again read It was moved that the clauſe concerning wrongous impriſonments might run in theſe terms Declareing all warrants for impriſonments on the account forſaid either proceeding upon informations not ſubſcribed or not expreſsing the particular cauſe ſhall be void and null; and the Judge and officiar of the law and all others whatſomever ſubſcribeing the same and the executor or keeper of the priſon who ſhall receive and detain the perſon ſo wrongouſly ordered to be impriſoned or refuſe a double as ſaid is ſhall be lyable to the puniſhment of wrongous impriſonment. Which motion was aggried to and the act accordingly amended.

AND thereafter the whole Act with the amendments made thereon being again read It was put to the vote Approve the Act or not, and carried Approve nemine contradicente.

DRAUGHT of the Act adjourning the Seſsion till the firſt day of January next read for the firſt time.

PETITION Anna Fouler relict of M[r] William Arnot late Miniſter at Ebdie againſt the factor of the Eſtate of Connochie read, and upon a motion the factor ordained to ſee and anſwer the ſame againſt the firſt dyet of Parliament the next week.

ORDERED that the ſeveral Committies do meet to morrow at nine of the clock in their uſual places.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Friday next at ten a clock.

NOVEMBER XXIX, M,DCC.

PRAYERS ſaid Rolls called.

TWO Commiſsions being produced from the Shire of Air one to M[r] John Campbell of Shankstoun, and the other to John Birſbain younger of Biſhoptoun for supplieing the place of the Laird of Rowallan late Commiſsioner for that Shire deceiſt, Which Commiſsions being conteſted were remitted to the Committie for contraverted elections to take tryal, and to report. [Shire of Air]

MINUTS of the laſt Sederunt read.

PETITION William Baillie of Hardingtoun Craveing warrand for citation of his Creditors therein mentioned in order to the obtaining of a perſonal protection read and a warrand for citation accordingly granted. [Baillie of Hardingtoun]

PETITION Sir John and John Schaws elder and younger of Greenock Craveing that the Act brought in from the Committie of Trade allowing the impoſition therein contained for building an harbour at Greenock be now paſt; and the draught of the ſaid Act being alſo read it was ordered to lye on the table that all parties haveing intereſt may have occaſion to ſee the ſame. [Sir John Shaw of Greenock]

OVERTURE that a certain number of perſons be allowed to attend His Majeſty in order to the affairs therein mentioned: Alſo another Overture for ſecureing the free voteing in Parliament both read and ordered to lye upon the table. [Overtures read]

HIS Majesties High Commiſsioner ſignified to the Parliament that it was expected that the buſineſs mentioned in the reſolve of Parliament might have been finiſhed before this time: But the fonds for maintaining the forces being now at an end, its neceſsary the Parliament ſhould preſently enter upon the conſideration of that matter, or otherwayes Reſolve that the forces upon the preſent Eſtabliſhment ſhall be provided for ſome time till theſe matters be dispatched. [The forces]

MOVED that the Reſolve paſt in Parliament on the Eight of November inſtant be read, and the ſame was accordingly read And after reaſoning upon the matter propoſed by His Majesties High Commiſsioner a reſolve was propoſed in the terms following viz. Resolved in regard the forces upon the preſent Eſtabliſhment cannot be continued [Reſolve concerning the Forces]

longer than the firſt of December next without conſent of Parliament and that by a previous Reſolve of this Parliament the regulation of trade as to export and import and the buſineſs of Caledonia muſt be firſt conſidered, that therefor the forces upon the preſent Eſtabliſhment ſhall continue till the firſt of January next and be subſiſted accordingly: Which Reſolve being read After ſome reaſoning thereupon the question was ſtated Approve the reſolve or not, and carried Approve.

ACT for adjourning the Seſsion till the firſt of January next again read, and being put to the vote Approve or not, carried Approve.

THE ſaid Act touched with the Scepter by His Majesties High Commiſsioner in the uſual manner, and ordered to be proclaimed. Whereof the tenor followes.

ACT Adjourning the Seſsion till the firſt of January

4 OUR SOVERAIGN LORD conſidering that by a former Act of this Seſsion of Parliament the sitting of the Seſsion was adjourned till the firſt Tueſday of December next. And that the Parliament may continue a great part of the ſaid moneth of December Therefor His Majeſtie with advice and conſent of the Eſtates of Parliament doth further Adjourn the Seſsion till the firſt day of January next to come in the terms and with the qualifications contained in the ſaid firſt Act of Adjournment of the Seſsion in all points.

THE ſeveral Committies appointed to meet to morrow at nine a clock in their uſual places.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Munday next at ten a clock.

DECEMBER 11, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

SIR Andrew Agnew of Lochnaw one of the Commiſsioners for the Barons for the Shire of Wigtoun excuſed by his Grace His Majesties High Commiſsioner in respect of his indiſpoſition.

[Earl of Argyle &c.] PETITION the Earl of Argyle and others Creditors to the late Marquiſs of Argyle Craveing warrand for raiſeing Reduction and Improbation of the decreit of forefaulture pronunced againſt the ſaid Marquiſs of Argyle and for citeing the Duke of Gordon and others to appear before the Parliament to the effect therein mentioned read, And a motion being made that the ſaid Petition be allowed to be ſeen and anſwered After debate the queſtion was ſtated Grant warrand to cite or ſee and anſwer the petition, and carried Grant warrand to cite.

[Erskine ag^t Counteſs of Kincardine] MOVED that the petition given in by Livetenant Collonell Erſkine againſt the Counteſs of Kincardine which was allowed to be ſeen and anſwered againſt Friday laſt may be now read, and aggried that the ſaid petition and anſwers made thereto be taken into conſideration the next dyet of Parliament.

[Woollen Manufactories] DRAUGHT of an Act brought in from the Committie for Trade anent the woolen manufactories again read Moved that the twelvth Act of the Parliament 1681, intituled Act for encourageing Trade and Manufactories be alſo read and the ſame accordingly read; Moved alſo that either there be a clauſe added diſchargeing the exportation of all wool or ſkins with wool, or otherwayes that the conſideration of this Act be delayed untill a particular Act be brought in thereanent; And after reaſoning thereupon it was aggried that the Act anent Woolen Manufactories ly on the table untill the Act againſt exportation of wool be brought in from the Committie, that both Acts may be under the Parliaments conſideration.

[Forraign Trade] THE draught of an Act from the Committie of Trade reſcinding the 27 Act of the Parliament 1663, relateing to the ordering and diſpoſal of forraign trade again read And after ſome amendments made thereon it was put to the vote Approve the Act or not and carried Approve.

[Ogilvies of Boyne] DRAUGHT of the Act from the Committie for Trade in favors of Sir Patrick and James Ogilvies elder and younger of Boyne, relating to the marble found in their own ground read and the farder conſideration thereof delayed till the next dyet of Parliament.

THE several Committies appointed to meet on Wednesday next at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Thurſday next at ten a clock.

DECEMBER V, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Profaneneſs] DRAUGHT of the Act from the Committie for Security againſt Profaneneſs read, And after ſome debate thereanent, two Overtures were read as additions to the ſaid Act, and the ſame with the overtures relative thereto remitted back to the Committie for Security.

[Shire of Wigtoun] MOVED that the Committie for Elections do make a report of their procedure as to the election of the Shire of Wigtoun and ordered that the report thereanent be made againſt the firſt dyet of Parliament the next week.

[Wool Skins] DRAUGHT of the Act from the Committie for Trade againſt the exportation of wool skins with wool woolsted, and woolen yearn read for the firſt time and allowed to be printed in order to be conſidered by the members of Parliament.

[Woollen Manufactories] DRAUGHT of the Act from the Committie of Trade anent woolen manufactories read and the ſame again read in paragraphs; After debate thereupon the farder conſideration thereof was delayed untill the next dyet of Parliament.

[Sealing of Cloth] OVERTURE anent the ſealing of all cloath manufactured within this Kingdom read and remitted to the Committie for Trade.

THE several Committees appointed to meet to morrow at nine a clock in the uſual places

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

DECEMBER VI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Harbour at Borroustounneſs] DRAUGHT of an Act for allowing to the Duke of Hamilton the impoſition therein mentioned for building an peer and harbour at Borrouſtounneſs read for the firſt time.

PETITION Livetennant Collonell Erſkine againſt the Counteſs of Kincardine with the anſwers made thereto, read, After debate the question was stated whither to grant warrand to Cite the Counteſs to anſwer to that part of the petition that ſhe ſhall inſiſt to diſcuſs her second appeal therein mentioned yea, or no, and Carried in the affirmative. [Erskine agt Counteſs of Kincardine]

DRAUGHT of the Act from the Committee of Trade anent woolen manufactories again read in paragraphs And after debate the Queſtion being ſtated whither to burn forraign manufactures imported contrare to the ſaid Act yea or not, it Carried in the affirmative: And thereafter the question being ſtated whither to burn the haill or only the halfe and Carried the haill. [Woollen Manufactories]

MOVED that a clauſe be added to the Act for the better encouragement of thoſe that ſhall make Seizures That it be farder Stated that in caſe any perſon ſhall make the ſaid Seizure of goods and ſhall make faith that he is not able to diſcover the owner of the goods seized in that caſe he ſhall have a reward of ane hundred pounds or proportionally under if the goods be not of that value to be payed to him by the next Collector of his Majesties Cuſtomes under the pain of the double Which sum of reward is to be allowed him in his accounts and this additional reward to endure till the next Seſsion of Parliament and no longer And the ſaid clauſe being read it was put to the vote Approve the Clauſe or not and carried Approve: Alſo moved that the ſhip which brings in any of the prohibit Goods shall be lyable to Confiſcation and be immediately sold by roup and the one halfe of the price to belong to the diſcoverer and the other halfe to the King, And a Clauſe thereanent being read it was put to the vote Approve or not and carried Approve; And the farder conſideration of the said Act anent Woolen Manufactures delayed till the next dyet of Parliament.

ORDERED that the Committies do meet to morrow morning at nine a clock in their uſual places.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Munday next at ten a clock.

DECEMBER IX, M,DCC.

PRAYERS said Rolls called.

COMMISSION to Mr John Campbell of Mammore Brother German to the Earl of Argyle, for being one of the Commiſsioners for the Barons of [Shire of Argyle]

the Shire of Argyle in place of the deceift Sir Duncan Campbell of Auchinbreck preſented; And it being moved that the Commiſsion ſhould be read the ſame was accordingly read, and thereupon Mr John took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

[Shire of Wigtoun] MOVED that the Committie for Elections do make report of their procedure in relation to the election of the Shire of Wigtoun and report being made that they had examined the witneſses adduced by both parties as to the complained of encroachments at the ſaid Election but had not conſidered the rights of the electors or perſons elected againſt whom objections were made ſome of the ſaid rights not being as yet produced before them.

AFTER reaſoning it was aggried that firſt the report of the Committie in ſo far as concerned the Sheriffs procedure be taken to conſideration and next the procedure of the Lords and others and if after adviſeing the probation as to the procedure of the Sheriff and Lords both elections be not annulled then the Parliament is to conſider the rights of such of the Electors and perſons elected as were objected againſt.

THEREAFTER the report of the Committie in relation to the encroachments Complained of at the ſaid Election read; and the Act of Parliament in the year 1681, concerning the election of Commiſsioners for Shires alſo read, After debate the Parliament by a vote determined in the said matter in manner following.

Act Annulling the election of Wigtoun HIS Majesties High Commiſsioner and the Eſtates of Parliament haveing upon the twelvth of November laſt Remitted to the Committie for Elections to receive the depoſitions of witneſses Cited by Lord Baſil Hamilton and William Stuart of Caſtlestuart by vertue of the ſeveral diligences granted to them on the fifth of the ſaid moneth and to take tryal of the haill other matters of fact (so far as the ſame requires probation) relating to the ſeveral elections of both the ſaid parties made by the Barons of the Shire of Wigtoun for ſupplieing the place of the deceiſt Laird of Garthland late Commiſsioner for that Shire The said Committie Reported to the Parliament that they haveing conſidered the interrogators given in by either party and the depoſitions of the witneſses adduced by them They were of opinion that it is proven by the depoſitions of David Stuart younger of Phisgill Robert Crauford of Craufordſtoun and Alexander Campbell servitor to the Earl of Galloway that the Laird of Phiſgill elder did ſeveral times deſire a Præſes to be choſen and notwithſtanding thereof the Sheriff was continued by the Barons as formerly And David Stuart depones that he heard Phiſgill his father in name of many of the Barons go to the end of the table where the Clerk was sitting and there did protest againſt the proceeding of the meeting as altogether illegall and thereupon took inſtruments in Craufordſtouns hands that he had ſo proteſted but his protestation was not marked by the Sheriff Clerk And Craufordstoun depones that Phiſgill proteſted and took inſtruments in his hands that the meeting proceeded illegally not haveing choſen a Preſident and that no further procedure ought to be untill a Preſident were choſen And Alexander Campbell depones that he heard Phiſgill elder take a proteſtation in Craufordſtouns hands that the Sheriffs proceeding was illegal and that the Barons were interrupted in the election by the Sheriffs preſiding there And by the depoſitions of the ſaid David Stuart and Robert Crauford it seems proven that the protestation was taken after ſeveral of the Barons were objected againſt And by all the three depoſitions it ſeems to be proven that the protestation againſt the Sheriffs preſiding and for choiſeing a Præses was taken before the Earl of Galloway and Viſcount of Stair returned to the meeting And David Stuart by his depoſition to the sixth interrogator Depones that many of the Barons did grumble at the Sheriffs presiding and defired the Lords to be called in and Robert Crauford Depones to the said interrogator that the Barons at the foot of the table did all whiſper one to another that they would be run down unleſs the Noblemen returned to see the Præſes choſen And by the depoſitions of David Stuart and Alexander Campbell it ſeems proven that Mochrum and another were uſhing the houſe when the Lords were called in And the Lairds of Garthland and Corrochtrie two witneſses adduced by Lord Baſil Hamilton Depone that they do not remember any protestation againſt the Sheriffs preſiding before they went to make up the rolls and Corrochtrie Depones further that all acquieſced to the Shireffs preſiding and took the oaths from him And further Corrochtrie depones that it was in the uſhing the houſe that Gordon of Grange was fined upon account of ſome ill language that he gave to the Sheriff and Lord Baſil and that it was not for claming his vote but that he was defired to remove and come in with his petition as the reſt of the Barons did And Garthland Depones that in uſhing the houſe Gordon of Grange was ordered to go out untill such time as the rolls were made up Upon which the Sheriff to aſsert his own right made a pretence of fineing him and this was before the Barons proceeded to make up the rolls of the Electors And both Garthland and Corrochtrie Depone that Gordon of Grange was preſent at the time of Caſtleſtuarts election And Patrick Mackdoual of

Crichone, and Garthland depone that Grange did vote for Caſtleſtuart By the depoſitions of Garthland and Corrochtrie it ſeems proven that the Earl of Galloway and Viſcount of Stair came in to the meeting of the Barons at the very time of makeing up the rolls And by the depoſition of Patrick Mackdoual younger of Crichone it ſeems proven that there were ſeveral people preſent at Caſtlestuarts election who were not Barons and that Garthland Corrochtrie and Crichone Depones that there was a protestation taken againſt any election untill the houſe was uſhed and againſt the Lords and others being preſent As alſo by the ſaid three depoſitions it seems proven that while Lord Baſil Hamilton was dictating his proteſtation to the Clerk againſt the Earl and Viſcount their comeing in the Viſcount of Stair did put his hand to the Book in order to ſubſcribe his proteſtation as he ſaid and that the Lords did ſubſcribe their proteſtation and deſired ſome of the Barons to ſubſcribe the ſamen and that Lord Baſil refuſed the books untill he had dictated his proteſtation And it ſeems proven by the depoſitions of Corrochtrie and Crichon that Gordon of Grange filled up Caſtlestuarts Commiſsion And by the depoſitions of Crichon and Robert Crauford it ſeems proven that Craufordſtoun called the rolls when Caſtlestuart was elected Commissioner And it ſeems proven by the depoſitions of the said Robert Crauford and Provoſt Cultrane that Caſtlestuarts Commiſsion was not ſigned in court And David Stuart depones that the Barons sent out two of their number to invite the Lords in who came and told them they were called in to the meeting And the Maſter of Stair depones that old Phiſgill and another Baron came out and heard that they deſired the Earl of Galloway and Viſcount of Stair to come in in name of the Barons that they might adviſe with them whither or not the Sheriff had right to preside And it ſeems proven by the depoſitions of young Phiſgill Craufordſtoun Alexander Campbell and the Maſter of Stair that none came in to the tolbuith with the Earl and Viſcount but the maſter of Stair and that at ſome diſtance of time the door was ſhut up and a great many came in And that the deponents did not hear the Lords name any perſon to preside or be Commiſsioner or meddle any thing in the election but only that they took inſtruments that they were called in by the Barons and ſigned the ſaid protestation and which the plurality of the Barons alſo signed And further that the Lords removed to another roume before the question was put who should preſide and were removed out of the tolbuith before the election of Caſtlestuart to be Commiſsioner And it ſeems proven by the depoſitions of Phiſgill and Craufordſtoun that the Sheriff Clerk was choſen Clerk to the meeting and called the rolls by aſking the question who ſhould preſide and read ſome petitions from electors and received in inſtructions And that Lord Baſil diſcharged him to call his name Whereupon Caſtlestuart called for the rolls at the deſire of ſome of the Barons and gave them to Craufordſtoun to call and which Craufordſtoun called accordingly upon the queſtion who ſhould be Commiſsioner and that the Sheriff Clerk was preſent all the time that the deponents were preſent in the tolbuith, as the said report of the abovewritten probation taken before the said Committie fully bears Which His Majeſties High Commiſsioner and the Eſtates of Parliament haveing this day heard and conſidered they have Found and hereby Find that the Sheriffs procedure in manner above mentioned does annull both the Elections above specified and have Declared and hereby Declare that the procedure of the Sheriff and likewayes of the Lords and others at the Election of Wigtoun as is mentioned in the above report of the Committie was an incroachment on the freedom of the election of Barons.

THE Committies appointed to meet to morrow at nine a clock in the morning in their usual places.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Wedneſday next at ten of the Clock.

DECEMBER XI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

PETITION moved for the Earl of Annandale that warrand be granted to Cite Sir Robert Grierſon of Lag to inſiſt before the Parliament to diſcuſs the proteſt for remeid of Law taken by him againſt the said Earl and a warrand for citation accordingly granted. [Grierson of Lag ag^t Earl of Annandale]

THE report from the Committie in relation to the contraverted elections for the Shire of Air read and the Acts of Parliament mentioned in the ſaid report alſo read, After debate the queſtion was ſtated Suſtain the objection that by the Acts of Parliament in the years 1690, and 1693, the freeholders are oblidged to take the oaths at every election of a Commiſsioner to the Parliament although they had taken the oaths at former elections in the ſame Shire yea or nay; and Carried in the negative. Concerning the Election for the Shire of Air

ORDERED that a warrand be iſſhued out in the uſual forme for electing a Commiſsioner for the Barons of the Shire of Wigtoun as followes

Warrand for Electing a Commiſsioner for the Shire of Wigtoun

HIS Majesties High Commiſsioner and the Eſtates of Parliament in reſpect of the deceaſe of William Mackdouall of Garthland formerly one of the Commiſsioners to this preſent Parliament for the Shire of Wigtoun and that the late elections of Commiſsioners for supplieing his place by a vote of Parliament is declared null Do therefor grant order and warrand to the Sheriff prin^{tt} of the ſaid Shire and his deputes to call the freeholders of the ſaid Shire together on Tueſday the laſt day of December inſtant at the uſual place of meeting to the effect they may chooſe a Commiſsioner to the ſaid Parliament in place of the ſaid William Mackdouall of Garthland And ordains intimation hereof to be made at the ſeverall paroch Churches within the ſaid Shire on the Sabath day preceeding the ſaid day appointed for their election in the uſual manner.

[Freedom of elections]

MOVED that an Overture preſented for the freedom of election of Commiſsioners from the Barons and freeholders be read, and aggried that the ſame be read after the Act anent woolen manufactories is finiſhed.

[Woollen Manufactories]

THE draught of the Act from the Committie of Trade anent woollen manufactories again proceeded in, and ſeverall amendments made thereupon, and the whole act with the amendments being read over it was ordered to be tranſcribed in mundo againſt the next dyet of Parliament.

APPOINTED that the Committies do meet in their uſual places to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Friday next at ten a clock.

DECEMBER XIII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Woollen Manufactories]

DRAUGHT of the Act from the Committie for Trade anent woollen manufactories again read and a clauſe offered that it be provided that all the prohibited goods imported ſince the day of June 1699 ſhall fall under the prohibition and certification contained in the Proclamation then emitted and Acts of Parliament whereupon it proceeds; And the Queſtion being ſtated Add the ſaid clauſe to the Act or not it carried Add And the clauſe being accordingly added it was put to the queſtion Approve the Act or not and carried Approve.

[George Lockhart]

PETITION George Lockhart merchant and others inhabitants of the City of Glaſgow read, and after ſome debate leave being craved to withdraw the ſaid petition, the ſame was allowed, and the petition accordingly withdrawn.

[Laird of Pourie ag^{t} Lord Gray]

MOVED that there be a day appointed for hearing the cauſe at the inſtance of the Laird of Pourie againſt the Lord Gray and others; and aggried that a day be appointed for hearing the ſaid cauſe when the Parliament proceeds to conſider privat affairs.

[Commiſsioners from Barons]

OVERTURE for the more free elections of Commiſsioners from the Barons and freeholders read and ordered to ly on the table.

[Trade with France]

MOVED that the Committie for Trade make report of the Overtures remitted to them by the Parliament for regulating the trade with France and the ſaid report appointed to be made againſt the next Sederunt that the ſame may be taken to conſideration after the Act diſchargeing the exportation of wool is finiſhed.

[Exportation of Wool]

THE draught of the Act from the Committie of Trade againſt the exportation of wool &c. read and thereafter the ſame read in paragraphs Moved that this Act diſchargeing the exportation of wool be only temporary for a certain definite time And after debate the Queſtion was ſtated temporary or not, and Carried temporary Thereafter moved that the time for which this Act is to continue be determined And after reasoning the queſtion was stated whither this Act againſt the Exportation of wool ſhould continue till the next Seſsion of Parliament incluſive or for five years and the next Seſsion of Parliament thereafter incluſive and Carried for five years and the next Seſsion of Parliament thereafter incluſive.

[English & Irish Wool]

AGGRIED that the matter of Engliſh and Iriſh wool do remain intire to be conſidered in Parliament notwithſtanding of the forsaid votes.

ORDERED that the Committies do meet to morrow at nine of the clock in their uſual places.

THE Lord Chancellar by order of His Majesties high Commiſsioner Adjourned the Parliament till Munday next at ten of the clock.

DECEMBER XVI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Higgings against Callender] MOVED that there be a day appointed for hearing the cauſe upon a proteſt for remeed of law at the inſtance of M[r] Alexander Higgings againſt John Callender; and aggried that a day be appointed for hearing thereof, when the Parliament proceeds to conſider privat affairs.

[Election of the Shire of Air] MOVED that the Committie of Elections be appointed to meet, and bring in a report as to the contraverted election of the Shire of Air; and ordered that the ſaid Committie do meet to morrow, and that report be made of the said election againſt the firſt Sederunt of Parliament the next week preciſely.

[Wool] THE conſideration of the Act from the Committie of Trade diſchargeing the exportation of wool &c. again proceeded in and that part thereof diſchargeing the export of Skins with wool upon them ſpoke to; And after reaſoning thereupon the queſtion was stated Prohibite the exportation of skins with wool upon them dureing the ſpace of five years and the next Seſsion of Parliament thereafter incluſive yea or nay, and Carried in the affirmative: And after ſeveral amendments made upon the Act ane debate ariſeing as to that clauſe thereof prohibiteing the importation of Engliſh and Iriſh wool the farder conſideration thereof was delayed till the next dyet of Parliament.

ORDERED that the Committies meet in their uſual places to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Wedneſday next at ten of the clock.

DECEMBER XVIII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Wool] DRAUGHT of the Act from the Committie of Trade Diſchargeing the Exportation of wool &c. again proceeded in. and that clauſe thereof prohibiteing the importation of Engliſh and Iriſh wool read Moved that the matter of Engliſh and Iriſh wool be conſidered both as to import and export that being reſerved intire by the former Minuts and that firſt the Parliament may determine as to the import of the ſaid wool; And after ſome debate the queſtion was ſtated Allow the importation of Engliſh and Iriſh wool or Prohibite the ſame for a time and carried Prohibite for a time: Thereafter moved that the time of the said prohibition be determined and a vote being stated Prohibite the importation of Engliſh and Iriſh wool till the firſt day of January 1702 or till the next Seſsion of Parliament incluſive, and Carried till the firſt day of January 1702.

ALSO moved that the export of the Engliſh and Iriſh wool be diſcharged till it be conſidered in the next Seſsion of Parliament, And ſome other propoſals being made thereanent the ſame was adjourned to the next dyet of Parliament.

[French Liquors] DRAUGHT of the Act from the Committie of Trade prohibiteing the importation of any liquors whatſomever of the grouth of France except on the terms therein mentioned read; Moved that an other Overture prohibiteing the importation of all Wine from France for the time therein specified be alſo read, and the ſame was accordingly read; and ordered that both the draught of the ſaid Act from the Committie and likewayes the other Overture ly on the table.

APPOINTED that the Committies meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Friday next at ten of the clock.

DECEMBER XX, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Wool] THE conſideration of that part of the wool Act concerning the exporting of Engliſh and Iriſh wool again reſumed and ſeveral propoſals thereanent being made, After ſome reaſoning the queſtion was stated, Except the exportation of Engliſh and Iriſh wool from the general prohibition contained in the Act yea or nay, and Carried in the affirmative.

THEREAFTER moved that the time of the commencement of the ſaid exception be determined And the vote being put if the Exception ſhould

commence from the first day of January 1702 or from the next Sefsion of Parliament inclufive, and Carried from the next Sefsion of Parliament inclufive And a clauſe relative thereto being written and read the ſame was aggried to and added to the Act And the whole Act againſt the exportation of wool as amended being read; It was put to the vote Approve the Act or not and carried Approve.

MOVED that the two dayes Minuts of the proceedings in Parliament dated the 27th and 30th dayes of May laſt be ordered to be printed And the ſame ordered accordingly.

[French Liquors] DRAUGHT of the Act from the Committie of Trade prohibiting the Importation of any liquors of the grouth of France except in the terms therein mentioned read; and three other Overtures prohibiteing the importation of French wine likewayes read.

[Planting of Tobacco] OVERTURE for encourageing the planting of tobbacco in this Kingdom read and remitted to the Committie of Trade.

[Linnen & Woollen Cloath] OVERTURE for meaſureing and ſealing of linnen and woollen cloath and an Overture diſchargeing the exportation of linnen yearn, both remitted to the Committie for Trade.

ORDERED that the Committies meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner adjourned the Parliament till Munday nixt at ten of the clock.

DECEMBER XXIII. M,DCC.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ORDERED that a warrand be iſsued out as followes for electing a Commiſsioner for the Barons of the Shire of Peebles.

Warrand to Elect a Commiſsioner for the Shire of Peebles HIS Majesties High Commiſsioner and Eſtates of Parliament in respect of the deceaſe of Alexander Murray of Hallmires one of the Commiſsioners to this preſent Parliament for the Shire of Peebles Do therefor Grant order and warrand to the Sheriff principal of the ſaid Shire and his deputs to call the Freeholders thereof together upon Tueſday the laſt day of December inſtant at the uſual place of meeting to the effect they may choiſe an Commissioner to the ſaid Parliament in place of the ſaid Alexander Murray, And ordains intimation hereof to be made at the ſeveral paroch Churches within the ſaid Shire on the Sabath day preceeding the ſaid day appointed for their election in the uſual manner.

[Petition Earle of Argyle &c.] PETITION the Earl of Argyle and Creditors of the deceaſt. Marquiſs of Argyle Craveing that the Clerks of Parliament and keepers of the Records be ordained to Exhibite upon oath the proces of forefaulture againſt the ſaid Marquiſs of Argyle with the haill grounds & warrands thereof in the hands of the Clerk to the Petitioners reduction and that ſome members of Parliament be appointed to receive the Clerks and Keepers depoſitions thereanent read; And it being moved that the ſaid Petition be allowed to be ſeen and anſwered After debate the queſtion was stated Grant the deſire of the petition or Allow the ſame to be Seen and Anſwered, and carried Grant the deſire of the petition, And the Committie for reviſeing the Minuts appointed to take the forſaid perſons oaths for the exhibition of the ſaid proceſs; Whereupon and upon the delivery of the ſaid proceſs there was an Act Extracted in the said matter as followes.

Act concerning the Delivery of the proceſs of forfaulture ag^{t} the Marquiſs of Argyle ANENT the Petition of Archbald Earl of Argyle and the Creditors of the deceaſt Marquiſs of Argyle humbly Shewing unto his Grace His Majeſties High Commiſsioner and the right honourable the Eſtates of Parliament that the petitioners haveing raiſed Reduction and Improbation at their inſtance againſt the Duke of Gordon Earl of Aboyne and Officers of State of the pretended doom and ſentence of forefaulture given againſt the said Marquiſs and decreit if any be Extracted thereupon with the haill grounds and warrands whereupon the ſamen proceeded They have called and by Inſtruments required the ſeveral Clerks of Parliament to give them an extract of the ſaid decreet if any be And seeing that in this caſe it will be neceſsary that the proceſs and whole grounds thereof be exhibited and laid before his Grace and their Lordſhips for ſatisfieing the production and prepareing the proceſs Therefor Craveing that his Grace and the honourable Eſtates (seeing the Clerks of Parliament and keeper of the Records are ab initio Cited in this proceſs) would ordain them to Exhibite upon oath the forſaid proceſs and haill grounds and warrands thereof in the hands of Sir James Dalrymple Clerk to the said proceſs that ſo they may remain in his hands to be ſeen by either parties as they find themſelves concerned as is dayly done before the Lords of Seſsion in actions of this nature and appoint two

or three of the members of Parliament to receive the Clerks and Keeper of the Records their depositions to the effect forſaid as the ſaid petition bears. Which being this day read in preſence of and conſidered by His Majesties High Commiſsioner and the Eſtates of Parliament they have Granted and hereby Grant the deſire thereof and Grant warrand to the Committie for reviſeing the Minuts to take the oaths of the above mentioned Clerks and keepers of the ſaid Records on their haveing of the proceſs above written And ordain them to Exhibite ſuch parts of the ſaid proceſs as are acknowledged in the hands of the Clerk of this proceſs there to remain for the uſe of the parties concerned Conform to which warrand James Hamilton one of the depute Clerks of Parliament and keeper of the Records in the lower Parliament houſe did upon the twenty eight day of this moneth of December and before extracting of thir preſents by order of the ſaid Committie compear before them and in their presence produced upon oath and delivered up to the ſaid Sir James Dalrymple Clerk to the forſaid proceſs of reduction the writs afterſpecified (which he deponed were all the grounds warrands and records that ever he ſaw relating to the ſaid proceſs of forefaulture) viz. The Inditement at the inſtance of Sir John Fletcher againſt the ſaid Marquiſs of Argyle. The Execution thereof againſt him perſonally apprehended in Edinburgh Caſtle upon the laſt day of January I^m vj^c and sixty one years ſubſcribed by Mungo Murray Ormond purſevant. The Marquiſs his defences written bookwayes on twenty two whole leaves and four little papers sewed in amongſt them in four several places Upon the margents of which defences there are thirteen Interloquitors written. The Lord Advocats replyes marked and ſubſcribed on the back by him and written bookwayes on twelve whole leaves and a little paper pinned in betwixt the ninth and tenth of them. A Letter directed by the Marquiſs of Argyle from Inuerary the twenty firſt of July I^m vj^c and fifty three to Collonell Lilburn Commander in Chief of the Forces in Scotland. Another Letter direct by him to the ſaid Collonell haveing no date. Another directed by him from Roſeneath the thirtieth of Auguſt I^m vj^c and fifty three to the ſaid Collonell Lilburn. Another directed by him from Glaſgow the twenty fifth of May to Mr Clerk ſervitor to General Monk Commander in Chief of the Forces in Scotland, Upon the back whereof the production of the ſame in Parliament on the twenty fourth of May I^m vj^c and ſixty one years And my Lord Argyle his acknowledgeing the ſame to be his hand writ is written. Other two Letters both wanting dates and directed by the ſaid Marques to General Monk Commander in Chief of the Forces in Scotland haveing the production and acknowledgement written on the back of each of them as ſaid is. A Copy atteſted and ſubſcribed by Edward Nicholas of a declaration by Richard Coots brother to the Earl of Mountreath againſt the ſaid Marques dated the twenty eight of December I^m vj^c & sixty years. A declaration ſubſcribed and ſealed by Ri: Dean anent an aggreement betwixt him and the Marques concerning the Highlanders in Argyle their laying down arms dated the twenty eight of October I^m vj^c & fifty two. A Scroll of a declaration not signed about the Government of the Kingdom, And another upon the ſame paper concerning the forces of the Common-wealth of England their marching to the Highlands. Depoſitions of the witneſses afternamed viz. upon the third day of May I^m vj^c and sixty one years. The depoſitions of William Duke of Hamilton John Cunningham Baillie of Dumbartoun John White, Alexander Ramſay the Lord Forreſter and Herbert Glaidſtanes, Another depoſition of the ſaid Herbert dated the Sixth of May I^m vj^c and sixty one years and of the ſame date the depoſitions of Gavin Walkinſhaw of that Ilk Hew Mackdowall in Lorn John Semple younger of Fullwood, John Carſewell one of the life guard and John Macknaughtoun And on the Seventh of May I^m vj^c and sixty one the depoſitions of Robert Perkine Engliſhman Walter Wilſon Provoſt of Dumbartoun, Major David Ramſay Captain James Thomſon Engliſhman And on the Eight of May I^m vj^c and sixty one the depoſitions of Angus Mackclauchlan ſon to the Captain of Inchconnell Hary Oneill Engliſhman of the life guard Daniel Oneill ſouldier in the garriſon of Leith Archbald Macklean and Donald Macklean of Ardhorrons And on the sixteenth of May I^m vj^c and sixty one the depoſition of John Campbell Captain of the caſtle of Dunſtafnage Likewayes an additional depoſition of his dated the twentieth of May I^m vj^c and sixty one, And on the said Sixteenth of May the depoſition of John Campbell of Alchattane, On the Seventeenth of May I^m vj^c and sixty one the depoſitions of Mr John Harper Advocat and Coline Campbell of Lochniell And on the twentieth of May I^m vj^c and sixty one the depoſitions of William Douglas in Inverary and Sir John Campbell of Glenurquhy all written on several ſheets and half ſheets of paper joyned together. And upon seperat ſheets and half ſheets of paper the depoſitions dated the ſeventh of May I^m vj^c and sixty one of John Carſane of Sennick, William Grierſon of Bargattan and John Lord Kirkcudbright And the depoſitions dated the eight of May of John Campbell Captain of Dunſtafnage and George Earl of Linlithgow, On the tenth of May the depoſitione of Sir James Lumſdene of Inuergelly On the Sixteenth of May the depoſitions of Thomas Urquhart ſervitor to the Earl of Aboyne, William Lord Mordingtoun Sir James Foulis of Collingtoun and Sir Robert Douglas of Blackerſtoun, On the twentieth of May the depoſitions of Thomas Calderwood Baillie of Edinburgh

James Cunninghame brother to the Laird of Robertland, James Anderſon Writer in Edinburgh Sir Robert Ferquhar of Mungie Archbald Murray fiar of Blackbarony and George Lockhart Advocat And on the twenty firſt of May I^m vj^c^ and ſixty one the depoſitions of Sir Alexander Gibſone of Durie and Mr Alexander Seton of Pitmedden. And alſo upon three other ſeperat ſheets of paper the depoſitions of the following witneſſes (which ſeem to relate to the proceſs at Lamounts inſtance againſt the Marques) viz. the depoſition of John Cunningham of Knockdaw dated the twenty fifth of April I^m^ vj^c^ and ſixty one On the twenty ſeventh of April the depoſitions of John Carſwell ſon to Neill Carſwell ſometime of Carnazereth and Duncan Mackgibbon of Auchtingarron On the ſecond of May the depoſitions of Mr Ewing Campbell in Auchtahowan Ewing Macklean in Killmichell Duncan Lamount in Stronnalbannoch and John Mackpherſon in Kilfeinan On the eight of May the depoſitions of Alexander Leitch Miller in Auchinwyllie Donald Mackherries of Glenſhiells Patrick Mackillfoyne in Craigcoall Robert Wallace in Rotheſay in Bute and Duncan Mackdougal of Kilbride And on the twenty fifth of May I^m^ vj^c^ and ſixty one the depoſition of Duncan Currie now in Caddermuir. A petition for and ſigned by the ſaid Marquiſs to the Parliament with two Interloquitors written thereon the firſt dated the twenty third and the next (refuſeing the deſire of the petition) upon the twenty fourth of May I^m^ vj^c^ and ſixty one. Scroll of the decreet of forefaulture dated the twenty fourth of May I^m^ vj^c^ and ſixty one written on four ſheets of paper not joyned together. The Minuts of the Parliament I^m^ vj^c^ and ſixty one years written bookwayes upon fourty ſix leafs of paper. And likewayes a Summonds of forefaulture or treaſon at the inſtance of the ſaid Sir John Fletcher his Majeſties Advocat and Sir James Lamount of Inueryne &c. againſt the ſaid Marques and others ſigneted in January I^m^ vj^c^ and ſixty one. Copy of ane order from King Charles to Lamount dated the twenty fourth of March I^m^ vj^c^ and fourty three together with a Copy on the ſame paper of the Articles of Capitulation betwixt James Campbell & others and Lamount anent the gariſon of Towart. And a petition for Lamount with two Interloquitors thereon dated the eighteenth of January I^m^ vj^c^ and ſixty one years granting warrand to a Meſſenger to Execute his Summonds againſt the ſaid Marques and others The Delivery abovementioned of all which writs to Sir James Dalrymple Clerk to the forſaid Summonds of reduction is atteſted by a Signature of the ſaid Committie of the date the ſaid twenty eight of December inſtant written upon the back of ane Inventar of the ſamen haill Writs.

PETITION the Laird of Innes Craveing likewayes that the forſaid proceſs of forefaulture againſt the Marquiſs of Argyle with the haill grounds thereof may be tranſmitted, read and the deſire thereof granted.

PETITION the Earl of Mortoun Craveing that the Act of Parliament decreet and renunciation therein mentioned be reſcinded and reduced, and that warrand be granted to Cite the Officers of State and other perſons needfull to the effect therein ſpecified, read; And His Majeſties Advocat haveing deſired to ſee the ſaid petition after reaſoning thereupon warrand for citation was Granted Reſerveing to His Majeſties Advocat all his legal defences and particularly his defences upon the ſaid Act of annexation as accords. [Earl of Morton]

MOVED that there be a day appointed for hearing the cauſe at the inſtance of Livetennant Collonell Erſkine againſt the Counteſs of Kincardine and the proceſs at the Counteſs inſtance againſt him; And aggried that a day be appointed for hearing of the ſaid Cauſes when the Parliament proceeds to conſider privat affairs. [Lt Colonel Erskine ag^t^ Counteſs of Kincardine]

PETITION James Ferquharſon of Finzion and others Craveing that warrand be granted to the Commiſsion for teinds to ſuſtain proceſs for proveing the tenor of certain decreets of prorogation which were loſt in the late fire or to Remit the ſame to a Committie to take ſuch courſe for makeing up thereof as they ſhould find juſt. Alſo an Overture for a General Act for makeing up the Regiſters and writs belonging to the Commiſsion of teinds which were loſt in the late fire; And both the ſaid petition and overture remitted to the Committie for Security of the Kingdom. [Registers of the Commission of Teinds]

MOVED that a day be appointed for hearing of the cauſe at the inſtance of the Laird of Moriſtoun againſt Sr James Cockburn and others and aggried that a day be appointed for hearing of the ſaid cauſe when the Parliament proceeds to conſider privat affairs. [Laird of Moristoun against Sir James Cockburn]

PETITION Walter Lockhart of Kirktoun Craveing that in reſpect of his ſpecial caſe of ſubſiſting his troup he may have retention of ſo much of the pole money collected by him as may ſatisfie his arriers and that in the mean time execution may be ſiſted upon the diligence mentioned in the petition read & ordered that the ſaid petition be ſeen and anſwered and in the mean time ſiſts Execution. [Lockhart of Kirktoun]

[Sir William Craigie of Gairsey]

PETITION Sir William Craigie of Gairſey Craveing that the Parliament may find he ought to be repaired of his damnadges ſuſtained through his being deprived of the Juriſdiction of the Stuartry of Orkney and Zetland the time that his tack thereof was current and to Remit the Liquidation of his damnadges to a Committie and in the mean time to Supercede diligence for the balance of his accounts, read, and ordered to ly on the table.

[Shaw of Greenock]

PETITION Sir John Shaw of Greenock and John Shaw his ſon with the draught of the Act from the Committie of Trade for allowing them the impoſition therein mentioned for building a harbour at Greenock read.

[Sir William Stuart of Castlemilk]

DRAUGHT of an Act for Sir William Stuart of Caſtlemilk allowing him an impoſition for building an harbour at Gourock, read.

[Stuart of Blackhall]

DRAUGHT of an Act for Mr John Stuart younger of Blackhall allowing an impoſition for building an harbour at Inuerkip, read.

[Burghs of Kinghorn Burntisland & Kirkcaldy]

DRAUGHT of an Act in favors of the Burgh of Kinghorn another in favors of the Burgh of Bruntiſland and another in favors of the Burgh of Kirkcaldie for the impoſitions therein mentioned for repairing their ſeveral harbours and the other cauſes contained in the ſaid ſeveral Acts, read.

[Burghs of Elgin Dundee & Linlithgow]

PETITIONS for the Burghs of Elgine Dundie and Linlithgow Craveing an impoſition for building and repairing their harbours paying of their debts and for the other cauſes therein ſpecified, all read; Alſo answers to the Touns of Dundie and Linlithgows petitions likewayes read.

[Morison of Prestoungrange]

PETITION William Moriſon of Preſtoungrange Craveing an impoſition for building an harbour at Moriſons haven, read.

[Highways & Bridges]

OVERTURE for an Act that every Nobleman Gentleman & Burgh Royal may exact and uplift two pennies Scots upon the pint of ale from the Brewars within their reſpective bounds to be applyed for mending the Highwayes and bridges, read.

MOVED that the ſaid Overture and alſo the ſaid ſeveral petitions & draughts of the ſaid ſeveral Acts with the anſwers made to the ſaid petitions be remitted to the Committie for Security and the ſame were Remitted accordingly.

[Toun of Leith]

OVERTURE for an Act allowing to the Toun of Leith the benefite of the Act of Parliament anent the Communication of trade read, and ordered to ly on the table.

[Chirurgeon Apothecaries]

OVERTURE for an Act in favors of the Chirurgeon Apothecaries read and remitted to the Committy for Security.

[Manufactory of cordage &c.]

PETITION James and William Walkingſhawes and other Merchants in Glaſgow for a Manufactory of cordage, canvas, and other neceſsaries for ſhipping with the ſame priviledges and liberties allowed to other Manufactories, read, and remitted to the Committy for Trade.

[Alexander Huntar of Muirhouse ag^t his Creditors]

PETITION Alexander Huntar late of Muirhouſe Craveing a day to be appointed for adviſeing of his proceſs againſt his Creditors for a perſonal protection, read; and aggried that a day be appointed for hearing and adviſeing of the ſaid proceſs when the Parliament proceeds to conſider privat affairs.

[Manufactory of working stockings]

PETITION James Dunlop and other Merchants in Edinburgh Craveing the Erecting of their trade of working ſtockings upon frames into a manufactory with the ſame priviledges as are granted to other manufactories, read, and remitted to the Committee for Trade.

[Engines for raising water &c]

PETITION Mr James Smith of Whitehill, Craveing that he may be authorized to make uſe of an engine for raiſeing of water for the benefite of coall and other water works within the Kingdom and that none preſume to make uſe thereof without his licence, read, and remitted to the Committee for reviſeing the Minuts.

[Sugar Manufactory at Glasgow]

PETITION William Corſe merchant in Glaſgow Craveing the Erecting of a new ſuggar manufactory at Glaſgow with the ſame priviledges & liberties that are granted to the other ſuggar manufactory there, read and remitted to the Committie of Trade.

[Transport of Marble]

DRAUGHT of the Act from the Committie of Trade in favors of Sir Patrick and James Ogilvies elder and younger of Boyn for certain immunities to the marble found in their own ground again read and being put to the vote Approve or not, it carried Approve.

[Meal market of Kilmarnock]

PETITION the Earl of Kilmarnock Craveing the augmentation of his former Cuſtome on each ſack of meal that ſhall be brought to the meal mercat

of the Town of Kilmarnock, and that how soon the ſaid meal mercat ſhall be built and compleated, read, and the Earl allowed to bring in an Act in the terms of the ſaid petition againſt the next Sederunt of Parliament.

[Manufactory of Oils] PETITION James Turner Cabinet maker in Edinburgh Craveing his trade of makeing of Oylls to be erected in a manufactory and to diſcharge the exportation of all Lintſeed Rapeſeed and other ſeeds out of the Kingdom, read and remitted to the Committie of Trade.

[Coal & Salt] OVERTURE for an Act anent coal and ſalt, read and remitted to the Committie of Trade.

[Andrew Dick] PETITION for Andrew Dick grandchild to Sir William Dick of Bread Craveing a perſonal protection and others therein ſpecified, read, and ordered to ly on the table.

[Exportation of Hair] PETITION for the Periwigmakers Craveing that the exportation of hair be diſcharged, and ſeveral other particulars ſpecified in the ſaid petition, read and Remitted to the Committie for reviſeing the Minuts.

[Importation of combs] PETITION William Park Combmaker Craveing that the importation of all forraign Combs &c. may be diſcharged, and that the petitioner may have the ſame priviledges that are allowed to other manufactories, read, and remitted to the Committie for Trade.

[Mr George Campbell agt his Creditors] PETITION Mr George Campbell merchant in Edinburgh Craveing a Siſt of Execution againſt his Creditors, untill his proceſs for a protection be heard in Parliament, read and rejected.

[Swearing in Proceſses for Excise] OVERTURE for an Act to prevent ſwearing in proceſses for Exciſe, remitted to the Committie for Security.

ORDERED that the Committies meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

DECEMBER XXIV, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Earl of Argyle agt Duke of Gordon &c.] PETITION the Duke of Gordon and Earl of Aboyne Craveing that His Majeſties Advocat, and the other Advocats therein named be ordained to appear for the Officers of State and Kings donator in the proceſs of reduction raiſed againſt them by the Earl of Argyle and Creditors of the late Marqueſs of Argyle, read, and after reaſoning thereupon it was left to His Majeſties High Commiſsioner to determine whither or no the Kings Advocat ſhall appear in this proceſs for any of the ſaid parties, or for which of them, and the other Advocats mentioned in the petition left to their freedom for whom to appear.

[French Trade] MOVED that a repreſentation given in by George Lockhart and other Inhabitants of the City of Glaſgow be read; Alſo moved that the publict affairs and especially the report of the Committie anent the French trade be firſt conſidered, And after debate the queſtion was stated whither to read this petition the firſt Sederunt in January next or the firſt Sederunt after the Act anent the French wine is over, and Carried to be read the firſt Sederunt in January next.

[Importation of Liquors from France] DRAUGHT of the Act from the Committee of Trade prohibiteing the importation of any liquors of the grouth of France except in the terms therein mentioned, read; Alſo a new Overture for diſchargeing the importation of all wines brandie and others from France and other places therein ſpecified under the conditions therein contained, likewayes read. Moved that the parliament conſider which of the acts or overtures preſented ſhall be ſpoke to. Alſo moved that (abſtracting from the ſaid acts and overtures) it be firſt ſpoke to whither there ſhall be a total prohibition of the importing of French trade, or only an partial prohibition thereof; And after reaſoning the debate was adjourned till the next dyet of Parliament.

ORDERED that the Committies meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Thurſday next at ten a clock

DECEMBER XXVI, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[French trade] HIS Majesties High Commiſsioner did recommend to the Parliament the diſpatch of the Act about the French trade becauſe the buſineſs of Caledonia and of the forces had been long delayed and that it was neceſsary the ſupplies for the forces ſhould be under conſideration before the firſt of January next which now approaches.

[Election of the Shire of Air] MOVED that the Committie for elections make report in ſo far as they have proceeded as to the contraverted Election of the ſhire of Air and aggried that the ſame be taken in immediatly after the Act anent the French wine is over; and ordered that the ſaid Committie in the mean time do meet and prepare a full report as to the ſaid election.

[Prohibition of French Liquors] OVERTURE or draught of an Act for a total prohibition of the import of French wine and other liquors read, and after debate as to a total or partial prohibition thereof, It was moved that the Parliament determine whither to proceed to conſider the ſaid Overture for a total prohibition or the draught of the Act from the Committie for a partial prohibition And aggried that the Overture for a total prohibition receive a firſt reading as the draught of the Act which the Parliament ſhall proceed to conſider And the ſame was accordingly read for the firſt time and the farder conſideration thereof adjourned till the next dyet of Parliament.

THE Committies appointed to meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

DECEMBER XXVII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Hepburne against Suttie] MOVED that there be a day appointed for hearing the proceſs on a proteſt for remeed of Law at the inſtance of Robert Hepburne againſt George Suttie, and agreed that a day be appointed for hearing the ſaid cauſe when the Parliament proceeds to conſider privat affairs.

[Prohibition of French Liquors] DRAUGHT of the Act for a total prohibition on the import of French wine and other liquors from France, read, and the ſame again read in paragraphs; And after debate as to the prohibition of wine the Queſtion was ſtated Prohibite the importation of all French wine after the firſt day of May next, or after the firſt day of October next and carried Prohibite the Importation of all French wine after the firſt day of October next. Thereafter the vote was ſtated Prohibite the importation of all French brandie after the firſt day of April or the firſt day of May next, and carried Prohibite the importation of the ſaid brandie after the firſt day of May next.

MOVED that the clauſe of the Act prohibiteing the importation of wine from Saint Sebaſtian be delete that not being a French port: And after reaſoning the queſtion was Stated Prohibite the importation of all red wine from Saint Sebaſtian yea or nay and Carried in the negative.

MOVED that the condition of the continuance of the prohibition on the importation of wine and brandy from France be determined And after reaſoning a clauſe was offered whereby it is provided that this prohibition ſhall continue ay and while the ſame liberties and immunities be granted to all herrings and all other goods Exported from this Kingdom to France, and the ſame freedomes and immunities Granted to Scots ſhips ſailing thither that any other nation enjoyes in that Kingdome, Which clauſe being read it was put to the vote Approve or not and carried Approve.

AND ſeveral other amendments being made upon the draught of the ſaid Act, and it being agried that the vending and ſelling of the ſaid French wine and brandie ſhould be prohibite after the firſt of February 1702. The Act was ordered to be tranſcribed in mundo againſt the next dyet of Parliament.

ORDERED that the Committies do meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock

DECEMBER XXVIII, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Prohibition of French Liquors] DRAUGHT of the Act againſt the importation of wine brandie & other liquors from France again read; Moved that ſome expedients be fallen upon to prevent the importing of French wine from Saint Sebaſtian and other places in the bay of Biſkey And ſeveral propoſals being made, a Clauſe was offered for ſecureing the ſame by the oaths of the merchant importer ſkipper and ſeamen before livery; Which clauſe being read, the ſame was aggried to and added to the Act.

IT was further propoſed that by and attour the ſaid Clauſe there be a price put upon all red wine that ſhall be imported from the ſaid places and the queſtion being ſtated Put a price on the red wines to be imported from the ſaid places by and attour the clauſe abovewritten yea or nay; it Carried in the affirmative.

AND it being moved that the price of the Scots pint of wine to be imported from any port or part betwixt the coaſt of France and the Groyne excluſive be determined; It was agried that the ſame ſhall not be ſold by Retail for a greater price then fourteen ſhilling for the Scots pint under the pain of five hundred merks to be payed by the Seller toties quoties and a Clauſe for it being read it was aggried to and added to the Act.

ALSO moved that another clauſe be added prohibiteing the livering of any white, red, or claret wines from any port whatſomever until the ſame be taſted in manner and to the effect therein mentioned, and the ſame being read, the queſtion was ſtated Add the clauſe to the Act or not and Carried in the negative.

THEREAFTER the Act as amended being again read It was put to the vote Approve or not and carried Approve.

[Summer Seſsion] OVERTURE concerning the ſummer ſeſsion, read and ordered to ly on the table.

[Adjournment of the Seſsion] DRAUGHT of an Act for the further adjourning of the ſeſsion in reſpect of the ſitting of the Parliament read for the firſt time.

ORDERED that the Committies do meet on Munday next at nine a clock in their uſual places.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till Munday next at ten a clock.

DECEMBER XXX, M,DCC.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[The troups & Supplies] HIS MAJESTIES High Commiſsioner signified to the Parliament that the Election of the Shire of Air was appointed to come in ſo ſoon as the Act about the French wine is over which Act is now voted, and that the buſineſs of Caledonia was ſtill before their hand, but the firſt of January being ſo near it was neceſsary that the Parliament either preſently take to their conſideration the matter of the troups and supplyes, or otherwayes reſolve that the forces upon the preſent eſtabliſhment ſhall be maintained till that affair be fully settled.

MOVED that the former Reſolve for continuing and ſubſiſting the forces till the firſt of January next be read, and the ſame was accordingly read, and thereafter a Reſolve was offered in the terms following viz.

Reſolve concerning the Forces IN regaird the forces upon the preſent Eſtabliſhment cannot be continued longer then the firſt of January next without conſent of Parliament and that by a previous reſolve of this Parliament the regulation of trade as to export and import and the buſineſs of Caledonia muſt be firſt conſidered; Therefor it is Resolved that the forces upon the preſent Eſtabliſhment ſhall continue till the firſt day of February next and be ſubſiſted accordingly: Which reſolve being read it was put to the vote Approve or not and carried Approve.

[Act adjourning the Seſsion] ACT for adjourning the ſeſsion till the twenty eight of January next again read; And it being moved that the ſaid adjournment be till the firſt of February next, The queſtion was ſtated adjourn the ſeſsion till the twenty eight of January or the firſt of February next, and Carried till the twenty eight of January next; Thereafter it was put to the vote Approve of the Act of adjournment or not and carried Approve.

MOVED that a day in each week be appointed for hearing privat affairs depending before the Parliament, And His Majeſties High Commiſ-

sioner condeſcended after this preſent week to appoint a day in each week dureing the sitting of Parliament for hearing privat affairs.

Concerning the Election of Air shire

REPORT of the Committie of Elections as to Air ſhire in relation to the objections made againſt John Mitchell of Daldilling read, and the Inſtrument containing the objection made againſt him likewayes read, and the objector being allowed to explain his objection, After reaſoning thereupon The queſtion was ſtated If the objection contained in the Inſtrument and as now declared in Parliament by the objector be relevant yea or nay, and Carried in, the negative Alſo the report of the ſaid Committie as to the objections againſt Hugh Montgomery of Bridgend and James Blair of Blairſtoun read and the inſtrument containing the objections made againſt them likewayes read and ſome further objections being made againſt the ſaid Electors After reaſoning thereupon the Queſtion was stated, Whither the objection againſt the said Hugh Montgomery of Brigend contained in the inſtrument be relevant or not and Carried in the negative: Thereafter the vote was stated If the objection againſt James Blair of Blairſtoun as stated in the Inſtrument be relevant or not and Carried in the negative, And the Parliament did Remit to the Committie of Elections to meet to morrow morning and prepare and bring in a full report as to the other electors objected againſt.

THE Act for adjourning the Seſsion till the twenty eight of January next touched with the Scepter by His Majeſties high Commiſsioner in the uſual manner and ordered to be proclaimed; Of which Act the tenor follows.

ACT adjourning the Seſsion to the twenty eight day of January next

OUR SOVERAIGN LORD conſidering that by a former Act of this Seſsion of Parliament the Sitting of the Seſsion was adjourned till the firſt Tueſday of December then next As likewayes by another Act of the ſaid Seſsion of Parliament the Seſsion was adjourned till the firſt day of January next And that the Parliament may continue to Sitt for ſome time Therefor His Majestie with advice and conſent of the Eſtates of Parliament Doth further Adjourn the meeting of the Seſsion till the twenty eight day of January next to come in the terms and with the qualifications contained in the ſaid firſt Act of Adjournment of the Seſsion in all points.

THE several Committies appointed to meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties high Commiſsioner Adjourned the Parliament till Thurſday next at ten a clock.

JANUARY II, M,DCC,I.

PRAYERS said Rolls called.

ALEXANDER Horſeburgh of that Ilk one of the Commiſsioners for the Barons of the Shire of Peebles newly elected in place of Alexander Murray of Hallmyres deceaſt took the oath of alleadgeance, Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

DRAUGHT of the Act from the Committie of Security read for the firſt time againſt Profaneneſs. [Act ag^{t} Profaneneſs]

DRAUGHT of the Act from the Committie of Trade againſt the importing of ſilk ſtuffs white laces &c. read for the firſt time, and appointed to be printed in order to be conſidered by the members of Parliament. [Prohibition of Silk Stuffs & White Laces]

Remit to the Seſsion in favors of George Lockhart & other Inhabitants of Glasgow ag^{t} the Magiſtrats and Town Council thereof

ANENT the Repreſentation given in and preſented to His Grace James Duke of Queenſberry His Majeſties High Commiſsioner and moſt Honourable Eſtates of Parliament by George Lockhart Merchant in Glaſgow and other Inhabitants of that City humbly Shewing that whereas their Majeſties were graciouſly pleaſed to Grant a Charter in favors of the City of Glaſgow which is alſo ratified in Parliament Giveing power to the said City and Toun Councill thereof to Elect the Provoſt Baillies and other office bearers as freely as the City of Edinburgh: Whereby the Petitioners humbly conceived that the Provoſt Baillies and Councill were to be elected in the ſame manner as other office bearers Nevertheleſs John Anderſon of Dowhill with the then Councill did proceed to Elect contrair to the plain and expreſs tenor of the ſaid Charter and Act of Parliament ratifieing the ſame and did intirely Exclude the Merchants and Trades halls who repreſent the whole merchants and trades of the City both from leiting and electing the Provoſt and Baillies or chuſeing the Councill And the ſaid Provoſt and Baillies were leited and elected and the Councill choſen by the ſaid John Anderſon and the Councill of the preceeding year Whereby he did intirely inhanſe the makeing of the Magiſtrats to himſelf and

his then Councill as if the ſaid Councill were come in place of the Archbiſhop to whom the nomination of the Provoſt and choiſeing of the Baillies out of the Leits preſented by the Toun Councill only belonged By which practiſes the forſaid Charter Granted by their Majesties has been wholly fruſtrated and eluded and in steed of a free Election in the terms thereof the ſaid John Anderſon has keeped himſelf in the office of provoſtſhip by turns and the very ſame Councill has been continued with the alteration of a very few ever ſince to the great prejudice of the Toun and its liberty and contrare not only to the said Charter and Act of Parliament but alſo to the acts of Burrows which for very great weighty and obvious conſiderations have carefully provided againſt the perpetuating of the Magiſtracy in the hands of a few The Petitioners likewayes humbly repreſented that they have ſuffered by stenting and impoſitions by the influence of the ſaid John Anderſon under the name of Kings Ceſs, conſiderably beyond the Quota impoſed upon the City by Acts of Parliament since Whitſunday I^{m} vj^{c} and ninety three amounting to Thirty two thouſand five hundred and eighty six pound eighteen ſhilling four pennies Scots more then the Kings Ceſs (not includeing the over ſtent now impoſed for Lambmaſs and Martinmaſs I^{m} vij^{c} years Which is not only a conſiderable burden of it ſelfe but contrare to Law in manner of Exacting by quartering poinding and impriſonment; This being impoſed and exacted without authority and not pretended to by the Toun of Edinburgh the Petitioners did humbly beg the ſamen might be redreſsed by the high and honourable Court of Parliament And Therefor humbly Craved that His Grace and the moſt high and honourable Eſtates of Parliament (seing the freedom of their Election conform to their Charter and Ratification in Parliament is of the higheſt importance to them and the Merchants and Trades halls being debarred therefrom is the apparent cauſe of the impoſitions and exactions from the Petitioners of such conſiderable Sums of money more then the Kings Ceſs) would grant Warrand to Cite the ſaid John Anderſon of Dowhill Provoſt Baillies Town Councill of Glaſgow Clerk and all concerned to Compear before His Grace and moſt Honourable Eſtates of Parliament and to Exhibite the Toun books impoſeing the stent and ſhewing the cauſes thereof and how imployed and to hear and ſee it found and declared That the Merchants and Trades halls have the right freedom and priviledge of voteing at the election of Provoſt Baillies and Councill conform to the Sett hereafter specified which was Craved to be approven and made the rule of election in all time comeing in regaird the Charter and Act of Parliament are general and that this Sett is the beſt application thereof moſt agrieable to the intereſt of the place and inclination of the people And to hear and ſee the forſaid impoſeing and exacting of Stent more then was allowed by Act of Parliament to have been moſt unwarrantable and the Provoſt Baillies and Councill diſcharged in all time comeing to impoſe stents and taxations without the ſpeciall advice and conſent of the Inhabitants except allennarly for Ceſs that ſhall be impoſed by Act of Parliament and alſo to hear and ſee themſelves at leaſt ſuch as concurred in impoſeing and exacting the forſaid unwarrantable ſtent Decerned to Refound the ſame to the Inhabitants and to grant Warrand to Cite witneſses &c. as the ſaid Petition and Repreſentation bears. Followes the forſaid Sett for the Election of the Provoſt Baillies Toun Councill and Merchants houſe of Glaſgow That the Merchants houſe conſiſt of the Dean of Gild and Twenty four Merchants That the forſaid Twenty four ſhall be once elected by a pole of the whole merchant traders and ſhopkeepers and being ſo Elected ſhall meet yearly upon the laſt Thurſday of September in the Merchants hall and lay aſide six of their number and aſsume other six Merchants in their stead to make up the houſe And then they ſhall make choiſe of three whither upon the Toun Councill or not to be preſented unto the ſaid Toun Council that they may elect the Provoſt out of thoſe three And alſo they ſhall leite the Merchants in the Toun Council and out of them Choiſe six to be preſented in a leit to the ſaid Toun Council that out of them they may Choiſe the two Merchant Baillies; And thereafter they ſhall Elect and Choiſe thirteen of their own number that are not on the Toun Councill to preſent theſe leits the firſt Tueſday of October yearly and to vote to Ballance the Deacons in the Election of the Magiſtrats. The whole Deacons of Crafts and Deacon Conveeners houſe to be Elected at the ordinar time and in the ſame manner as formerly; And upon the ſaid laſt Thurſday of September the Deacon Conveeners houſe shall meet and out of the trades in the Toun Council Elect three to be preſented to the Toun Council that out of them they may Elect the Trades Baillie Upon the firſt Tueſday of October the Council conſiſting of the ſame number of merchants and trades conform to the old Sett ſhall meet and receive in the leits from the Merchants and Trades houſes and Elect the Provoſt and Baillies In which election the thirteen Merchants choſen by the Merchants houſe, and thirteen Deacons of Crafts or as many of them as ſhall be preſent ſhall have votes; And in caſe of the abſence of any of the Deacons there ſhall be an equal number of the Merchants not allowed to vote Upon the firſt Friday thereafter the ſaid Magiſtrats and Toun Councill with the thirteen Deacons and thirteen Merchants ſhall Meet & Elect the Toun Councill out of the Merchants and Trades ranks Leiting allwayes the Councill with other men in the City as equally as

poſsible and in makeing of the Leets the whole Councill ordinary and extraordinary are to have votes; The Wedneſday thereafter the Dean of Gild Deacon Conveener and other officers are to be elected in the ordinar manner; And that no Merchant or Tradeſman ſhall be upon the Toun Councill above three years together as Councillours; And that no member of the Merchants houſe continue above four years together; And that all perſons both Electing and Elected ſhall qualifie themſelves by takeing the oaths preſcribed by Law as the ſaid Sett given in with the forſaid Repreſentation and Petition in it ſelfe alſo bears. Which Repreſentation and Petition being this day read in preſence of and conſidered by His Majesties High Commiſsioner and the Eſtates of Parliament They have Remitted and hereby Remit the ſame to the Lords of Seſsion to call and hear the parties and to Determine therein as they ſhall find juſt and have Ordained and hereby Ordain the ſamen to be diſcuſt summarly without abideing the courſe of the roll.

[Exporting of Wooll] MOVED that since the late votes paſt in this Seſsion of Parliament againſt the Exportation of wool there has been great quantities of wool put in board of ſhips and Exported out of the Kingdom and that it be Remitted to a Committie of Parliament to take tryal of and inquire in this matter and of the perſons haveing acceſsion thereto And after reaſoning it was Remitted to the Committie for Contraverted Elections to inquire into & take tryal of the verity of the ſaid Complaint of Exporting of wool and of the perſons therein concerned by all legal methods, and to make report of their procedure the firſt Sederunt of Parliament the next week.

[Importing of English Cloath] REMITTED to the ſame Committie of Elections to take tryall as to the Engliſh Cloath imported ſince the Proclamation of Councill in June 1699 and how the ſame may be effectually Secured to be either exported or burnt.

[Election for Airſhire] REPORT of the Committie of Elections as to Airſhire in relation to the Irrelevancy of the objections made againſt Arthur Campbell of Auchmannoch John Reid of Markland and Adam Aird of Katrine, read, and the Inſtrument containing the ſaid objections likewayes read; And it being moved that it be remitted back to the Committie to conſider the rights of the ſeveral parties objected againſt, After reaſoning the Queſtion was stated Approve of the report of the Committie or Remit, and it carried Approve.

MOVED that ſince the objections againſt the Contraverted Electors who signed Mr John Campbells Commiſsion are now diſcuſsed that Mr John as haveing the plurality of Electors signing his Commiſsion may be admitted a member of Parliament in place of William Muir of Rowallan deceaſt and his Commiſsion being read it was objected that the free holden Lands by vertue whereof he was choſen a Commiſsioner is only a trust in his perſon to the behove of the Earl of Loudoun his brother and his oath being Craved thereupon he deponed negative and was preferred to the other Commiſsioner by Decreet and ſentence of Parliament as follows.

Act concerning the Contraverted Elections for the Shire of Air

HIS MAJESTIES High Commiſsioner and the Eſtates of Parliament haveing fully Conſidered the two conteſted Commiſsiones from the shire of Air one to Mr John Campbell of Shankſtoun and the other to John Birſbane younger of Biſhoptoun for supplieing the place of the deceiſt Laird of Rowallan late Commiſsioner for that ſhire upon which several Commiſsions each of the ſaid parties craved preference And haveing likewayes at length Conſidered the objections made by the Laird of Killbirnie againſt ſome of the Electors ſigneing Mr John Campbells Commiſsion and expreſt in two Inſtruments of the date the twentieth of November laſt taken before the Election in the hands of Mr John Cockburn notar publict togither with the anſwers made thereto before the Committie for Contraverted Elections in manner aftermentioned with the Replyes and Duplyes underwritten and the reports and haill other procedure of the Committie in the ſaid affair And His Mats said Commiſsioner and the ſaid Eſtates being well and ryply adviſed in the ſaid matter They have Preferred and hereby Preferr the Commiſsion granted to the ſaid Mr John Campbell as haveing moſt votes Becauſe at the firſt production of the ſaid two Commiſsions in Parliament the ſame were Remitted to the Committie abovespecified for Contraverted Elections And conform to that Remit (which was upon the twenty ninth of November laſt) the said Committie haveing met upon the tenth of December laſt it was objected before them that at the forſaid Election the oath of alleadgeance and aſsureance was not taken by the Electors at their meeting before they proceeded to Elect as is required by the fourth and thirty eight Acts of the second Seſsion of His Majesties current Parliament and that therefor both elections are null To which it was anſwered that it was not neceſsary for thoſe who had taken the oaths at former Elections of new to take them at every Election And by the sixth Act of the fourth Seſsione of this current Parliament It is provided that ſuch as have already taken the oaths shall not be oblidged by vertue of that Act to take the ſame again in the ſame capacity Which

objection and anſwer the Committie offered to the Conſideration of the Parliament who after hearing of the ſaid Acts of Parliament abovementioned did by their Interloquitor pronunced upon the Eleventh day of the ſaid moneth of Dec' Refuſe to Suſtain the forſaid objection and Remitted to the Committie to proceed and take tryal of the ſaid Contraverted Election and to report In obedience whereunto the said Committie haveing met upon the ſeventeenth of the ſaid moneth of December and it being conform to one of the forſaid Inſtruments, Objected in the firſt place againſt Campbell of Gleſnock that he was neither appear- and heir nor infeft in a fourty ſhilling Land holden of the King nor in poſſeſſion and alſo that he did not take the oaths, and no compearance being made for him the Committie were of opinion that the objection ſhould be ſuſtained and Gleſnock holden as confeſt thereupon It was alſo objected in the terms of the ſaid Inſtrument that John Mitchell of Daldilling has no Land holden of the King haveing ſold and diſponed what lands he had ſo holden to another perſon who is in poſſeſſion thereof Whereunto it was anſwered that the objection as proponed and inſert in the Inſtrument is no wayes relevant in ſo far as the ſame may be true and yet the party againſt whom the objection is made may be an habile Elector And it is poſitively aſserted that Mitchell of Daldilling may have diſponed what Lands he held of the King to another perſon who may be in poſſeſſion and yet in that very caſe Daldilling may be the Kings vaſsall and have right to vote by vertue of his freehold To which it was Replyed that the Committie was not to proceed upon what might be but what truly was the caſe So that unleſs it were poſitively alleadged and inſtructed that Daldilling at preſent ſtood infeft and was in poſſeſſion of a fourty ſhilling land or in four hundred pound of valued rent he could not be ſuſtained an habile Elector And farder albeit he ſtood infeft yet if he were denuded by diſpoſition and the acquirer in poſſeſſion of the maills and duties he could not be underſtood to be in the terms of the Act of Parliament And it is plain the objection can only be underſtood of such a diſpoſition as excludes the diſponer from the Superiority at leaſt to his own behove and that he cannot be in any kind of poſſeſſion So that the caſe of vaſsalls is excluded becauſe if their poſſeſſion be the ſuperiors poſſeſſion it cannot be ſaid that the purchaſer only does poſſeſs Neither is it relevant for giveing right to vote that the pretender has given only an diſpoſition to be holden of the King tho the acquirer be not infeft when the diſponer himſelfe is out of poſſeſſion For as to this both the words and annalogie of the Act of Parliament are opponed and the diſpoſition is more then a ſimple aſsignation to maills & duties Nor can the aſsigneyes poſſeſſion be repute the Cedents poſſeſſion when no peculiar intereſt does remain with the Cedent Whereto it was duplied that the alleadgeance againſt the objection does not concern Daldillings preſent right but ariſes from the Irrelevancie of the objection as stated in the Inſtrument and which by the Act of Parliament cannot now be altered and Daldilling muſt be in the ſame caſe as if no objection had been made againſt him And to clear that the objection is irrelevant its obvious that Daldilling may have diſponed his land to any other perſon who may be in poſſeſſion thereof And yet albeit that were inſtructed Daldilling may continue the Kings vaſsal and have the ſole right of voteing. For Primo he may diſpone the Lands he holds of the King to another who may be baſely infeft and whoſe poſſeſſion may be Daldillings poſſeſſion as occurs in the caſe of all ſubaltern rights Secundo he may have Diſponed what lands he held of the King with or without a procuratory of reſignation and while his aſsigney continues not Infeft he the Cedent continues not denuded and conſequently reſerves his right of voteing And laſtly the objection as stated in the Inſtrument is ſo general that albeit Daldillings vote were ſuſtained the objector would not be lyable to him in expences And farder the objection itſelfe is general and the word diſpoſition as properly applyable to subaltern as publict rights and it is to be underſtood only in the objectors ſenſe And the diſtinction betwixt naturall and civil poſſeſſion is well known in law that a publict infeftment with poſſeſſion of the very caſualities without any intereſt in the maills and duties gives a ſufficient right to vote And its eſtabliſhed both by Law and Cuſtome that the Kings vaſsall tho denuded by a naked diſpoſition continues his right to vote which is farder cleared by a second diſpoſition firſt compleated by infeftment which excludes the firſt right Secundo upon the death of the Kings vaſsall tho denuded by a diſpoſition all the Caſualities of Superiority will arriſe to the King Tertio the Granter of the diſpoſition muſt continue his right to vote ſo long as the receiver cannot vote which is never till he be publictly infeft and therefor the objection as stated in the Inſtrument is moſt irrelevant Which debate abovewritten with the forſaid Inſtruments produced being conſidered by the ſaid Committie They were of opinion that the objection made againſt John Mitchell of Daldilling as ſtated in the Inſtrument is not relevant and ought to be repelled, It was furder objected conform to the ſaid Inſtrument againſt Hugh Montgomery of Brigend and James Blair of Blairſtoun that notwithſtanding they be infeft yet they are not in poſſeſſion of their Eſtates but have ſold and diſponed the ſame to perſons who are and have been in poſſeſſion thereof thir ſeverall years bygone As to which the former grounds are opponed particularly that the objection is preciſely in the terms of the Act of Parliament which requires not only infeftment but alſo poſſeſſion To which it was anſwered that this

objection labours under the ſame Irrelevancies as the former And Primo the objection acknowledges Brigend and Blairstoun to be infeft Secundo their not being in poſſeſſion cannot be ſuſtained relevant alone seeing tho a superior poſſeſs not the property nor the Kings vaſsall the maills and duties of his lands after they are aſsigned yet both of thoſe are underſtood habile Electors seeing the vaſsalls and aſsigneyes poſſeſsions are in law aſcribeable to the ſuperior and Cedent Which debate with the Inſtrument produced being likewayes conſidered by the Committie they were of opinion that the objection made againſt Hugh Montgomery of Brigend and James Blair of Blairſtoun as stated in the Inſtrument is not relevant and ought to be repelled, And the forſaid reports of the Committie and Inſtrument to which the ſame relates being upon the thirtieth of December laſt read in preſence of and conſidered by His Majeſties High Commiſsioner and the Eſtates of Parliament they did find the objections made againſt the ſaid John Mitchell of Daldilling Hugh Montgomery of Brigend and James Blair of Blairſtoun not relevant and Remitted to the ſaid Committie to meet and bring in a full report as to the other Electors objected againſt Which Committie haveing again met accordingly upon the firſt of January inſtant and it being then objected before them in the terms of the Inſtruments produced that Arthur Campbell of Auchmonoch John Reid of Markland and Adam Aird of Katrine have only Kirklands and that without production of their Charters it is impoſsible to know whither their lands be of the extent mentioned in the Act of Parliament I^mo vj^c^ and eighty one or not Therefor it was proteſted in caſe any of the forſaid perſons had not an fourty ſhilling land of old extent holden of the King that any vote they ſhould give in the ſaid Election ſhould be of no effect It was answered thereto Primo that by the Act of Parliament 1681, the freeholders were not oblidged to produce their Charters the time of every Election it being ſufficient that the ſaid perſons stand inrolled in the Sheriffs books as Electors Secundo two of the ſaid perſons viz. Arthur Campbell of Auchmannoch and Adam Aird of Kathrine were not only inrolled but did actually vote at Killbirnies own election and at the ſeveral elections in the said Shire ſince the Revolution ſome whereof were Contraverted and yet the forſaid perſons not objected againſt as appears by an Extract of the Sederunt under the Sheriff Clerks hands which for inſtructing of the ſaid anſwer was produced before the Committie so that Kilbirny was in mala fide to object againſt them Tertio the objection as stated in the Inſtrument is not relevant it being only founded on that part of the Act of Parliament which mentions a fourty ſhilling land but does not mention the other alternative part of four hundred pound of valued rent So that albeit their Lands were not of the Extent of fourty ſhilling yet it is ſufficient if they be of four hundred pound of valuation And the proteſtation taken againſt the ſaid perſons is only conditional in caſe they have not a fourty ſhilling land whereas the Act of Parliament requires that such proteſtations be poſitive and ſpecial Whereunto it was Replyed And to the Firſt it does not appear that the forenamed perſons did ever produce their Charters or were formally inrolled and the truth is they did never produce any such Charters To the Second it is not ſufficient that Campbell of Auchmannoch and Aird of Katrine did vote at Kilbirnies election seeing at that time there was no objection made againſt them nor did they then or at any time before produce their Charters So that Kilbirny was in bona fide to take the ſaid proteſtation To the Third seeing the perſons objected againſt did make no anſwer nor have as yet produced any thing to inſtruct their lands to be a fourty ſhilling land of old extent or that they are of four hundred pound of valued rent the objection againſt them is relevant and it is yet competent if need beis to alleadge that they have not four hundred pound of valued rent albeit the ſaid objection be not contained in the Inſtrument And to the laſt oppones the Inſtrument which is poſitive that the perſons objected againſt have only kirk lands and that their Charters were not produced to the end their Extent might appear Which objection and anſwers with the Inſtrument forſaid produced being conſidered by the ſaid Committie they were of opinion that the objection as proponed in the Inſtrument againſt the ſaid Arthur Campbell John Reid and Adam Aird is not Relevant in the terms of the Act of Parliament and ought to be repelled And the forſaid Report of the Committie with the Inſtrument to which the ſame relates being this day read in presence of and conſidered by His Majesties said Commiſsioner and the said Estates of Parliament they Approved of the said Report And in reſpect thereof and of the ſaid Mr John Campbells oath craved and taken in the ſaid matter by which he deponed that the freeholden lands by vertue whereof he was choſen Commiſsioner are not in his perſon only in truſt, nor to the behove of the Earl of Loudoun his brother They Gave their Sentence in the ſaid affair preferring the ſaid Mr Johns Commiſsion in manner abovementioned.

THEREAFTER the ſaid Mr John Campbell took the oath of alleadgeance signed the ſame with the aſsureance & aſsociation & took the oath of Parliam^t^.

THE several Committies appointed to meet to morrow at nine a clock.

THEN the Lord Chancellar by order of His Majeſties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

JANUARY III, M,DCC,I.

PRAYERS said Rolls called.

[Commiſsioner for the Shire of Wigton] COMMISSION to Mr William Stuart of Caſtlestuart for being one of the Commiſsioners for the Barons of the Shire of Wigtoun in place of William Mackdowall of Garthland deceiſt preſented; Moved that Caſtleſtuarts admiſsion be delayed for this Sederunt in reſpect it's informed that there are double Commiſsions ſent from that ſhire and that the Election was only made on Tueſday laſt, And after reaſoning it was agried that Caſtlestuarts admiſsion be delayed untill the next Sederunt of Parliament.

MINUTS of the laſt Sederunt read.

[Act agt Profaneneſs] DRAUGHT of the Act from the Committie for Security againſt profaneneſs again read and thereafter read in paragraphs, and several Clauſes being offered as additions to the ſaid Act After reaſoning the Queſtion was stated Add a Clauſe to this Act or not and Carried in the negative And the Act being again read It was put to the vote Approve or not and carried Approve.

[Henderson against Power] PETITION Thomas Henderſon apothecary in Edinburgh and others againſt Laurance Power merchant there &c. Craveing that a day be appointed for hearing his proceſs on a proteſt for remeed of Law againſt the forſaid perſons or to remit the ſame either to be conſidered by a Committie or to be determined by the Lords of Seſsion read, and upon a motion made Laurance Power allowed to ſee and anſwer the ſame againſt the firſt day the Parliament proceeds to privat affairs.

[Mr James Gregory] PETITION Mr James Gregory Profeſsor of Mathematicks in the Colledge of Edinburgh Craveing an Act to be paſt in his favors for the uſe of a machine invented by him for raiſeing of water and all others be diſcharged to make uſe thereof for the ſpace mentioned in the Petition read and Remitted to the Committie for reviſeing the Minuts.

THE Committies ordered to meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY IV, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read

[Commiſsioner for the Shire of Wigton] Mr William Stuart of Caſtlestuart one of the Commiſsioners for the Barons of the Shire of Wigtoun in place of William Mackdowall of Garthland deceaſt took the oath of alleadgeance Signed the ſame with the aſsureance and aſsociation and took the oath of Parliament.

[Barons voting in Parlt] OVERTURE for the freedom and Repreſentation of the State of Barons as to their ſitting and voteing in Parliament read, and ordered to ly on the table.

[Hatmakers] DRAUGHT of an Act from the Committie of trade in favors of the Hatmakers read for the firſt time.

[Arrears of the Army] MOVED that the Parliament inquire into the matter of the Pole money granted in the year Ivc vjc and ninety three for payment of the arrears of the army and the ſaid Motion allowed to be repreſented in write in order to be conſidered in Parliament how ſoon they proceed in privat affairs.

OVERTURE that the Parliament Choiſe a Committie for Conſidering the arrears due to the army diſbanded, as well as the arrears due to the ſtanding forces, and that they inquire into the funds that have been laid on ſince the Revolution for theſe ends and how they have been imployed and that the Committie make their report when the preſent army is to be conſidered in Parliament: Which Overture being read it was agried that the conſideration thereof be delayed till the next Sederunt of Parliament.

[Importation of Silks] ACT from the Committie of trade prohibiteing the importation of all ſilk ſtuffs white laces &c. again read and thereafter read in paragraphs; Moved that there be an exception from the Act of velvets and damaſks to be made uſe of for houſehold furniture; After reaſoning the Queſtion was stated Allow the importation of velvets and damaſks to be made uſe of for houſehold furniture yea or nay and Carried in the negative: Alſo moved that there be an exception of velvet for makeing of Saddles and other horſe furniture, And the vote being stated allow the importing

and wearing of velvet for horſe furniture in general, or only in ſpecial when the ſame has been bought and uſed out of the Kingdom and Carried in ſpecial, Likewayes moved that the importing and wearing of plain ribbons may be excepted from the ſaid Act And after debate the Queſtion was stated Except the importing and wearing of forraign ribbons yea or nay and Carried in the negative, And several amendments being made upon the Act the ſame was ordered to be tranſcribed in mundo to be firſt Conſidered the next dyet of Parliament.

THE Committies appointed to meet on Munday's morning at nine a clock.

THE Lord Chancellar by order of his Majeſties High Commiſsioner Adjourned the Parliament till Tueſday next at ten a clock

JANUARY VII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Order of the Parl^t house] THE Act Settleing the order of the Parliament houſe again read and the ſame appointed to be duely obſerved.

[Anent Crimes capital and not capital] MOVED that the Committie for the Minuts bring in a report anent what was remitted to them for diſtinguiſhing what Crimes are capital and what not and what Crimes do inferr the pain of treaſon and ordered that the ſaid Committie Do proceed and bring in the ſaid report with all diligence.

[Importing of Silk Stuffs] THE Act againſt the importing of ſilk stuffs white lace &c. again read, And after ſome reaſoning thereupon it was put to the vote Approve the Act or not, and carried Approve.

[Officers of the Army] PETITION the Officers of the Army preceeding the year I^m vj^c and ninety three Craveing the Commiſsion of Parliament formerly appointed for the Pole I^m vj^c and ninety three to be renewed with addition of such members as are wanting and that they determine to the effect mentioned in the Petition read and agried that the ſame be taken in Conſideration how ſoon the Parliament proceeds to privat affairs.

[Disbanded Officers] PETITION the diſbanded Officers Craveing payment of their arrears and half pay for ſubſiſtence in time comeing untill there be occaſion for their ſervice read and agried that the ſame be Conſidered when the Parliament proceeds to the matter of the arrears and inquireing into the bygone funds given for the uſe of the army.

[Captain Boswell ag^t Ferguslie] PETITION Captain John Boiſwell Commander of the Mary Frigot for himſelf and in name of the officers and seamen that ſerved under him Craveing payment of the ſum therein mentioned of ballance due to them and that William Cochran of Ferguſlie be ordained to repeat the money wrongouſly Exacted from them, read, and warrand Granted to cite Ferguſlie to anſwer to the ſaid Petition on fourty eight hours warning.

[Seamen of Borrous-tounneſs ag^t Ferguslie] PETITION the poor Seamen of Borrouſtounneſs who ſerved in the frigot commanded by Captain Edward Burd Craveing payment of the arrears due to them, and that in the mean time the Ceſs for unfree trade payable out of Borrouſtounneſs may be ſtopped and to grant them Redreſs of the Wrong done to them by the ſaid William Cochrane of Ferguſlie, read, and Warrand granted to cite Ferguſlie to anſwer to the ſaid Petition on fourty eight hours warning.

Reſolve concerning Caledonia and the Security of the Kingdom THE Overture formerly given in anent the arrears of the army and for inquireing how the funds given for that end have been diſpoſed of, again read, And another overture That it be remitted to a Committie to Conſider the ſaid arrears and funds and likewayes to Conſider the preſent State of the Kingdom with the forces and ſupplies neceſsary for Security thereof to be reported after the affair of Caledonia is over alſo read: Moved that by a former Reſolve of Parliament of the date the eight of November laſt the Regulation of the Export and Import and the buſineſs of Caledonia muſt be firſt Conſidered in Parliament nothing interveening; and the ſaid Reſolve being read a motion was made for another Reſolve That the buſineſs of the African and Indian Company and Caledonia come in the next Sederunt; and after Caledonia is over the Parliament ſhall proceed upon the matter of the Security of the Kingdom And his Majeſties Commiſsioner was pleaſed to aſsure the Parliament that they ſhould have a competent time to end the buſineſs of import and export and other publict acts and affairs before them; Which motion being read it was put to the vote Agrie to the ſame or not and carried Agrie.

[Peace of the Highlands] OVERTURE for renewing a Commiſsion of Juſticiary for preſerveing the peace of the Highlands preſented and ordered to ly on the table.

[Importation of forraign Butter] DRAUGHT of an Act from the Committie of trade for diſchargeing the importation of all forraign butter and cheeſe read for the firſt time.

HIS Majeſties High Commiſsioner appointed Saturday next for conſidering privat affairs.

THE Committies appointed to meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Thurſday next at ten a clock.

JANUARY IX, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Petition of the African Company]

REPRESENTATION and Petition of the Council General of the Company of Scotland tradeing to Africa and the Indies Craveing His Majeſties High Commiſsioner and the Eſtates of Parliament to take the Contents thereof and of their former Petition therein mentioned to their moſt ſerious conſideration to take such effectual meaſures as they ſhould think fit for aſserting and vindicating the Companys right both abroad and at home for enableing them to proſecute their lawfull undertakeings for procureing reparation from the Spaniards and others for the damnages ſuſtained, and for preventing the like encroachments for the future, read.

MOVED that the Petition from the Councill General of the ſaid Company which was preſented in Parliament on the twenty ſeventh day of May laſt and to which the Petition now offered does relate, may be alſo read and the ſame accordingly read.

[Petition of Heretors of Midlothian anent the Colony of Caledonia]

PETITION the Heretors of the Shire of Midlothian ſubſcribeing therto Craveing that meaſures may be laid down for Executeing the many good laws already made and to make others that may be further neceſsary for regulating and advanceing of the trade of the Nation, and to aſsert the undoubted right and title of the Indian and African Company to their plantation in Caledonia which hath been and ſtill is unjuſtly called in queſtion and to give ſuch ſupport to it as may encourage the adventurers to go on in an undertakeing tending ſo much to the wealth and honour of the nation, and to give relief to the Countrey of so great a number of forces and redreſs the other particulars therein mentioned, read.

[Petitions & Addreſses from Counties & Burghs anent the Colony of Caledonia]

PETITIONS and Addreſses from the Heretors thereto ſubſcribeing in the ſhires of Wigtoun, Air, Dumbartoun, Renfrew, Inuerneſs, Nairn, Fife, Bamf, Elgine and Forres, and Stuartry of Orkney; and alſo from the Burghs of Perth, Dyſart, Kirkcaldie, Anſtruther Eaſter, Inverneſs, Craill and from the Inhabitants of the City of Glaſgow thereto ſubſcribing; all Craveing effectual methods to be taken for aſserting and vindicating the Companys right to their Colony of Caledonia, and to be eaſed of the forces and relating to the other affairs reſpective mentioned in the ſaid ſeveral Addreſses, being all preſented by Members of Parliament were read.

THE Lord Chantellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

JANUARY X, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

Reſolve concerning Caledonia and the African Company

THE Consideration of the affair of the Company of Scotland Tradeing to Africa and the Indies again reſumed and a propoſal made that it be Reſolved that the votes and proceedings of the Parliament of England and their addreſs preſented to His Majeſtie in December I^{m} vj^{c} and ninety five in relation to ane Act of this Parliament Eſtabliſhing our Indian and African Company and the Addreſs of the Houſe of Lords preſented to His Majeſtie in February laſt were ane undue intermeddleing in the affairs of this Kingdom and an Invaſion upon the soveraignity and independency of our King and Parliament; The reſolve was read. Moved that the addreſs from the Lords and Commons of the Parliament of England preſented in December I^{m} vj^{c} and ninety-five with their votes and proceedings paſt at that time and alſo the Addreſs of the Houſe of Lords preſented in February laſt be all read and the ſame were accordingly read; Thereafter the forſaid Reſolve being again read it was put to the vote Approve the ſame or not and carried Approve nemine contradicente.

Reſolve concerning the African Company

ANOTHER Reſolve propoſed in the terms following viz. Reſolved that the Memorial preſented in his Majeſties name as King of Great Britain to the Senate of Hamburgh the seventh day of April I^{m} vj^{c} and ninety ſeven by Sir Paul Rycault then reſident in that City and Mr Creſset His Majeſties Envoy extraordinary at the Court of Lunenburgh was moſt unwarrantable containing manifeſt falſehoods and contrary to the Law of nations injurious to His Majeſtie an open Encroachment upon the Soveraignity of this Crown and Kingdom the occaſion of great loſses and diſappointments to the

ſaid Company and of moſt dangerous conſequence to the trade of this Nation in all time comeing, read; Moved that the ſaid Memorial given in by the ſaid Reſident and Envoy to the Senate of Hamburgh be likewayes read and the ſame was accordingly read, and after reaſoning it was put to the vote Approve the ſaid Reſolve, or not, and carried Approve nemine contradicente.

Another Reſolve concerning Caledonia

ANOTHER Reſolve propoſed in theſe terms viz. Reſolved that the Proclamations Emitted in the Engliſh plantations in April May June and September I^m vj^c^ and ninety nine againſt our Indian and African Company and Collony of Caledonia were and are injurious and prejudicial to the rights and liberties of the ſaid Company and that the Execution of thoſe Proclamations againſt the adventurers sent out by the ſaid Company was inhumane barbarous and contrare to the law of Nations and a great occaſion of the loſs and ruine of our ſaid Colony and Settlement of Caledonia, Read. Moved that the Proclamations Emitted by the reſpective Governours of the Engliſh plantations in the Weſt Indies in the ſaid moneths of April May June and September I^m vj^c^ & ninety nine Diſchargeing all Correſpondence with any perſons fitted out from Scotland, or to furniſh them any proviſion or neceſsaries whatſomever either in their own veſsells or any other ſhips for their uſe may be all read and the ſame read accordingly: And a motion being made to add to the laſt part of the ſaid Reſolve the words Proclamations and their Execution, After reaſoning the Queſtion was Stated Add the ſaid words or not, and Carried in the negative, And the ſaid Reſolve being again read it was put to the vote Approve the ſame or not and carried Approve nemine contradicente.

[Another Reſolve proposed & withdrawn]

ANOTHER propoſal made for a Reſolve that whoever have adviſed His Majeſties anſwer to the Addreſs of the Parliament of England againſt our Indian and African Company in the year I^m vj^c^ and ninety five or have adviſed or promoted the injuries done to this Nation by the Hamburgh Memorial and Proclamations in the Weſt Indies are Enemies to this Kingdom and have done what in them lay to creat jealouſies and animoſities betwixt the two Kingdoms and if Subjects of this Kingdom are Traitours to the King and Countrey and when diſcovered ought to be proſecute accordingly, Read; And after ſome debate the preſenter of the ſaid Reſolve Craved leave to withdraw it which was allowed.

[Another Reſolve proposed & delayed]

FURTHER propoſed that there be a Reſolve in the terms following viz. Reſolved that our Indian and African Companys Colony of Caledonia in Darien in the Continent of America was a legall and rightfull Settlement preciſely in the terms of the Act of Parliament and Letters patent Eſtabliſhing the Company and that the Parliament will aſsiſt and ſupport the ſaid Company in the lawfull proſecution of their right thereto as holding of the Crown of this Kingdom, read, and the farder conſideration thereof adjourned.

ORDERED that the Committies meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

JANUARY XI, M,DCC,I.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

[Earl of Annandale against the Laird of Lag]

PROCESS the Earl of Annandale againſt the Laird of Lagg called, and the Procurators for both parties compearing It was intimat to the Laird of Laggs procurators to be ready to inſiſt on Saturday next in his proteſt for remede of Law taken againſt the Earl, with Certification if he failzie that the decreet for not inſiſting will be then pronouneed againſt him conform to the Earls Summonds.

[Erskine ag^t^ Counteſs of Kincardin]

PROCESS Livetennant Collonell John Erſkine againſt the Counteſs of Kincardine alſo called and the procurators for both parties compearing, It was intimat to the Counteſs her procurators to be ready to inſiſt on Saturday next in her proteſt for remede of Law taken againſt the Lieutennant Collonell his decreet of ſale of the Eſtate of Kincardine with Certification if ſhe failzie that decreet for not inſiſting will be then pronunced againſt her conform to the Lieutennant Collonells Summonds.

[Higgins against Callender]

PROCESS Mr Alexander Higgings againſt John Callender on a proteſt for remede of Law called and both parties compearing It was intimat that they be ready to debate the ſaid cauſe againſt Saturday next.

[Hepburn against Suttie]

PROCESS Robert Hepburn of Whiteburgh againſt George Suttie on a proteſt for remeed of Law called; and the procurators for both parties compearing, It was intimat that they be ready to debate the ſaid Cauſe againſt Saturday next.

[Earl of Argyle ag^t Duke of Gordon]

MOVED that the proceſs at the inſtance of the Earle of Argyll and Creditors of the late Marques of Argyll againſt the Duke of Gordon and the Earl of Aboyne for reduceing the late Marqueſs of Argylls forefalture, be called.

[Laird of Powrie ag^t Lord Gray &c.]

ALSO moved that the proceſs at the inſtance of the Laird of Pourie againſt the Lord Gray be likewayes called and ſeveral other privat affairs being propoſed; After reaſoning the vote was ſtated whither the proceſs at the inſtance of the Earl of Argyll and Creditors of the ſaid Marquiſs of Argyll ſhall be firſt called before all others or not and Carried in the affirmative.

THEREAFTER the ſaid proceſs being called and the ſaid Earl of Argyll purſuer, and alſo the Duke of Gordon and Earl of Aboyne defenders compearing perſonally with their procurators; There was a Declinator given in by the defenders againſt severall members of Parliament which was read and after debate thereupon the Declinator was diſcuſsed and determined as in the Minuts of that proceſs.

MOVED that the Kings Advocat be appointed to appear for the Defenders as Kings donators, and the former deliverance of Parliament in relation to that matter and Act of Privy Councill allowing His Ma^ts Advocat to appear in the ſaid proceſs for which of the parties he thought fit, being both read, He did make his Election and Declared that he would appear for the purſuer of the proceſs.

THEREAFTER moved by the purſuers that in regaird His Majeſties Advocat and Mr David Dalrymple were both members of Parliament and could not appear as Advocats in the ſaid proceſs without allowance of Parliament that therefor the Parliament would allow them to appear for the purſuers in this proceſs, After reaſoning it was aggried that His Majeſties Advocat and Mr David Dalrymple be allowed to appear for which of the ſaid parties they ſhould think fit; And they declared they would appear for the purſuers.

THE Committies appointed to meet on Munday next at nine of the clock in the morning.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till Munday next at ten a clock.

JANUARY XIII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Higgins against Callender]

MOVED that Mr David Dalrymple Advocat a member of Parliament be allowed to appear for John Callender in the proceſs purſued againſt him by Mr Alexander Higgins, and aggried that Mr David have allowance to appear in that proceſs for the ſaid John Callender.

[Resolve anent Caledonia &c.]

MOVED that the propoſall for an Reſolve aſserting the Companys right to their Colony of Caledonia mentioned in the Minuts of the tenth of January inſtant be again read and the ſame was accordingly read.

ANOTHER Reſolve propoſed in theſe terms viz. Reſolved that our Indian and African Companys Colony of Caledonia in Darien in the continent of America was a legal and rightfull Settlement conform to the Act of Parliament and Letters patent Eſtabliſhing the ſaid Company: And that the Company in makeing and proſecuteing the said Settlement acted warrantably by vertue of the said Act of Parliament and patent And that therefor this preſent Reſolve with the three other Reſolves voted and paſt in this Seſsion of Parliament for vindicating the independency and soveraignity of this Croun and Kingdom and aſserting the rights of the ſaid Company be laid by way of addreſs from the Eſtates of Parliament before His Majeſtie for removeing and preventing all Encroachments upon the independency and soveraignity of this Crown and Kingdom, and for aſsureing the ſaid Company of His Majeſties Royal protection and obtaining the proper remedies for reparation of their Loſses, read.

HIS Majeſties High Commiſsioner made a ſpeech to the Parliament upon the matter contained in the ſaid Reſolve.

MOVED that His Majeſtics Letter to the Parliament preſented the twenty nynth of October laſt be read and the ſame accordingly read: Alſo the Minuts of the tenth of January inſtant, read, Moved that the forſaid Reſolve mentioned in the ſaid Minuts being firſt preſented ought to be firſt under conſideration. And it being alſo moved that the reſolve as containing the ſubſtance of the former be rather conſidered. It was alleadged that the Reſolve now offered is complex conſiſting of ſeveral parts which ought to be ſeparatly conſidered

And after reaſoning the Reſolve following was propoſed viz.

Reſolves concerning Caledonia

RESOLVED that our Indian and African Companys Colony of Caledonia in Darien in the Continent of America holding of the Croun of Scotland was and is legal and rightful, and that the Settlement was made conform to the Act of Parliament and Letters-patent Eſtabliſhing the ſaid Company and that the Company in makeing and proſecuteing of the ſaid Settlement acted warrantably by vertue of the ſaid Act of Parliament and patent: Which Reſolve being read, it was put to the vote Approve the ſame or no and carried Approve, nemine contradicente.

THEREAFTER anothier Reſolve was preſented that the several Inſults of the Spainards upon our Indian and African Companys Colony of Caledonia their Seizeing and Confiſcating the ſaid Companys Ship the Dolphine and cargo forced to run a ſhoar at Carthagena to eſcape ſhipwrack their barbarous uſage of our men who were aboard of the ſaid ſhip and condemning the moſt conſiderable of them to die as pirats; and their invadeing and diſpoſeſsing our Colony of Caledonia were acts of open hoſtility contrary to the law of Nations and to the expreſs treaties betwixt the Crowns of Great Britain and Spain, and that Satisfaction ought to be demanded for the ſame: which Reſolve being read, it was offered to the conſideration of the Parliament.

MOVED that before this or any other new Reſolve can be entered upon the second part of the firſt mentioned Reſolve given in this day ought to be conſidered and determined And a debate ariſeing whither firſt to receive in the ſaid new propoſal in relation to the affair of Caledonia or to conſider what is to be done anent the reſolves already paſt; After reaſoning the queſtion was Stated whither to proceed to hear what farder grivances in the affair of Caledonia the Parliament hath not given their Sentiment upon or to conſider what is to be done on the four Reſolves already voted; It carried to proceed firſt to conſider what is to be done on the four Reſolves already voted.

THE Committies ordained to meet to morrow at nine a clock in the uſual places.

THE Lord Chancellar by order of His Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XIV, M,DCC,I.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederent read.

[Earl of Annandale ag^{t} Laird of Lag]

MOVED that His Majeſties Advocat and Mr David Dalrymple both members of Parliament be allowed to appear and plead for the Earl of Annandale in the proceſs depending at his inſtance againſt the Laird of Lagg before the Parliament; and aggreed that His Majeſties Advocat and Mr David Dalrymple have allowance to plead for the Earl of Annandale in the ſaid cauſe.

[Further proceedings respecting the Colony in Darien]

OVERTURE for an Act declareing that the Companys Colony in Darien was a legal and rightful Settlement preciſely in the terms of the Act of Parliament, and that His Majeſtie and the ſaid Eſtates will aſsiſt and support the ſaid Company in the lawfull proſecution of their rights thereto and protect them in the full and free enjoyment thereof, Read.

A DECLARATION by Captain Robert Pinkertoun, and James Graham who were priſoners at Carthagena and thereafter brought to old Spain taken upon interrogators put to them by a Committie of the Directors of the Indian and African Company produced and moved to be read and the ſame read accordingly; and upon a motion made by His Majeſties Advocat the ſame was ordered to ly on the table.

MOVED that the conſideration of the second part of the Reſolve firſt preſented yeſterday may be again reſumed; and that the Parliament proceed to addreſs His Majeſtie upon the Reſolve aſserting the Companys right to the ſaid Colony; and a debate ariſeing whither an addreſs or an Act be moſt proper in the preſent circumſtances for Secureing the Companys right and Settlement, and the actings of the perſons concerned in the proſecution thereof. After reaſoning the vote was ſtated whither an addreſs ſhould be made upon the Reſolve aſserting the Companys right to the Colony of Caledonia in Darien or an Act of Parliament aſserting their ſaid right and Carried to addreſs upon the ſaid Reſolve, One Hundred and Eight, to Eighty Four.

BEFORE calling of the Rolls upon the ſaid vote severall members of Parliament Deſired that their voteing for the Act and diſsenting from the Addreſs might be marked; And the Duke of Hamilton took Inſtruments thereupon for the reaſons read by him in his place and the said Eighty four who

voted for the Act were accordingly marked as diſsenting and their names ordered to remain in the Records of Parliament.

CONFORM to which order they are particularly set down as followes.

Names of the Members who voted for an Act and diſsented from an Addreſs concerning Caledonia

Of the Nobility

Duke of Hamilton

Marqueſses of
Athol
Tweeddale

Earls
Marischal
Rothes
Strathmore
Tullibardine
Rugler

Viscount of
Strathallan

Lords
Saltoun
Roſs
Lundoirs
Blantire
Forteſter
Pitſligo
Bargany
Elibank
Belhaven
Duffus
Colvill

Of the Commiſsioners for the Barons

Sir Alexander Gilmor of Craigmiller
Robert Craig of Riccartoun
Robert Dundas of Arniestoun
Sir John Lauder of Fountainhall
William Hepburn of Beinstoun
Sir John Home of Blackadder
George Baillie of Jerveswood
William Bennet younger of Grubbet
Sir James Scot of Gala
Sir Francis Scot of Thirleſtain
James Pringle of Torwoodlie
Sir Alexander Murray of Blackbarony
William Baillie of Lamingtoun
James Hamilton of Aikenhead
Alexander Johnſtoun of Elſhieſhiells
Sir Thomas Kilpatrick of Cloſeburn
John Crauford of Kilbirnie
John Haldan of Gleneagles
Robert Pollock of that Ilk
Mr John Stuart younger of Blackhall
Sir John Houſtoun of that Ilk
Sir Alexander Monro of Bearcrofts
Sir John Schaw of Greenock
Patrick Murray of Livingſtoun
Thomas Sharp of Houſtoun
Robert Hay of Strowie
Mr James Craigie younger of Dumbarny
Sir Thomas Burnet of Leyes
James Moir of Stonywood
Sir Samuel Forbes of Foveran
Ludovick Grant of that Ilk
Hugh Roſs of Kilraick
Mr Roderick Mackenzie of Preſtounhall
Sir William Anstruther of that Ilk
Mr James Carnagie of Phinhaven
Alexander Duff of Bracoe
Alexander Gordon of Gaitley
Mr John Gordon younger of Carrill
Patrick Murray of Pennyland
James Broddie of that Ilk
Sir William Craigy of Gairſey
Sir John Erſkine of Alva
Sir Alexander Mackenzie of Coul

Of the Commiſsioners for Burghs

Robert Smith
Alexander Edgar
Patrick Murray
John Cuthbert
Alexander Gedd
James Spittle
Patrick Wallace
Francis Moliſon
Mr James Hamilton
George Smith
Robert Faw
Patrick Steven
George Moncrief
Mr John Lyon
Robert Stuart
John Scot
Mr Robert Clelland
Alexander Stivenſon
Daniel Simpſon
Sir William Hamilton
Sir Patrick Murray

THE Committies appointed to meet to morrow at nine a clock

THE Lord Chancellar by order of his Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XV, M,DCC,I.

PRAYERS said Rolls called.

[Debate on Minuts of last Sederunt]

THE Minuts of the laſt Sederunt read, there was amendments offered thereto; and a debate thereupon ariſeing, the farder conſideration thereof was delayed till the next dyet of Parliament.

THE Committies appointed to meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of his Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XVI, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Minuts of Jan. 14. adjusted.] MOVED that the Minuts of the fourteenth of January inſtant be again read in order to be adjuſted, and the ſame being read, after ſome amendments made, they were agried to.

MOVED that the names of thoſe who did vote for the Addreſs mentioned in the ſaid Minuts be recorded in the books of Parliament, and the ſame ordered accordingly; And the Lord Chancellar moved that albeit he had no opportunity to vote for the ſaid Addreſs yet he deſired that his name might be recorded with the hundred and eight who voted thereto, and the ſame agried to, and his name and the names of the said hundred and eight voters do therefor follow here recorded.

Of the Nobility

Patrick Earl of Marchmont Lord High Chancellar.
The Lord Montgomery as Lord High Theſaurer.
The Earl of Melvill Lord President of the Secret Councill.

Names of the Members who voted there ſhould be an Addreſs concerning Caledonia

Earls of	Viscounts of
Argyll	Seafield Lord Secretary
Crauford	Tarbat
Mar	Stair
Mortoun	Duplin
Buchan	Roſeberry
Glencairn	
Caſsills	Lords
Galloway	Carmichael Lord Secretary
Lauderdale	Forbes
Lothian	Elphinstoun
Loudoun	Jedburgh
Dalhouſsie	Reay
Findlater	Frazer
Carnwath	Bellenden
Leven	Boyll
Annandale	Portmore
Northeſk	
Forfar	Lords Advocat
Aboyne	Theſaurer deput
Kintoir	Juſtice Clerk
Breadalbain	
March	

Of the Commiſsioners from Barons

Sir John Clerk of Pennycook
Sir Robert Sinclair of Stivenſon
William Moriſon of Preſtoungrange
Sir John Swintoun of that Ilk
John Scot of Well
Archbald Douglas of Cavers
Alexander Horſeburgh of that Ilk
Sir William Denholm of Weſtſhiells
Sir William Stuart of Caſtlemilk
William Crichtoun of Craufordtoun
Sir John Johnſtoun of Weſterhall
Mr William Stuart of Caſtlestuart
Mr Francis Montgomery of Giffins
Major Hugh Buntein of Kilbride
Mr John Campbell of Shankſtoun
Claud Hamilton of Barns
Mr William Stuart of Ambriſmore
Sir Coline Campbell of Aberruchill
Adam Drummond of Megginſh
Alexander Arbuthnot of Knox
Mr James Elphinſtoun of Logie
Mr Kenneth M'Kenzie of Cromarty
Sir Coline Campbell of Ardkinglaſs
Sir John Campbell of Carrick
Mr John Campbell of Mammore
Sir John Dempſter of Pitliver
Mr James Melvill of Halhill
George Moncrief of Reiddie
Robert Reid of Baldovie
James Scot younger of Logie
Sir James Abercrombie of Birkinboig
Patrick Dunbar of Machrimore

Of the Commiſsioners for Burghs

James Fletcher
James Smith
John Anderson for Glaſgow
John Muir for Air
Alexander Swintoun
James Muddie
Sir Archbald Muir
Robert Johnſtoun
Mr Alexander Cunningham
Walter Scot
Sir Andrew Home
William Cultran
Mr John Murray
Sir James Smollet
Mr James Campbell
Thomas Hamilton
John Muir for Peebles
William Roſs
Mr David Dalrymple
Walter Stuart for Bamf
Patrick Murdoch
John Roſs
Sir Robert Stuart
David Maitland
Sir James Scougall
Mr William Johnſtoun
William Meinzies
Sir Alexander Bruce
Sir Hugh Dalrymple
Mr Robert Stuart
John Anderson for Dornock
Hugh Brown

Mr Robert Forbes
Sir Archbald Sinclair
Mr Charles Campbell

[Anent appointing Consuls] OVERTURE for an Act for appointing Refi-dents and Conſuls in ſuch places as are moſt proper for the trade of this nation, read and ordered to lye upon the table.

[Anent the Addreſs &c.] MOVED that the Reſolves paſt in Parliament the tenth of January inſtant in relation to the addreſses votes and proceedings of the Parliament of England and to the Hamburgh Memorial and Proclamations emitted in the Weſt Indies anent the affair of Caledonia be read, and the ſame were accordingly read.

MOVED that the matter contained in the forſaid three Reſolves paſt in Parliament the ſaid tenth day of January inſtant be laid before His Majeſtie by way of Addreſs, which was agreed to; and an debate ariſeing whither the addreſs upon the ſaid three firſt reſolves ſhall be ſeperat from the addreſs upon the fourth reſolve already voted, After reaſoning the queſtion was stated Seperat or not; and Carried in the negative.

THE Committies appointed to meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

JANUARY XVII, M,DCC,I.

PRAYERS said. Rolls called.

MINUTS of the laſt Sederunt read.

THE Draught of an Addreſs from the Eſtates of Parliament to His Majeſtie upon the matter contained in the four reſolves paſt in Parliament upon the tenth and thirteenth dayes of January inſtant relating to the Indian and African Companys rights and priviledges therein mentioned read, and thereafter read in paragraphs, and after ſome amendments made the vote was ſtated Approve the Addreſs or not; it carried Approve, One hundred and One, to Sixty One And the tenor of the said Addreſs ſo approven followes.

The Parliaments Addreſs to the King concerning Caledonia

May it pleaſe your Majestie
WE your Majesties moſt faithfull and dutifull Subjects the Noblemen Barons and Burgeſses aſsembled in Parliament Do in all humility Repreſent that we are very ſenſible and do and ſhall ever moſt heartily acknowledge that God raiſed up your Majeſtie in our low and afflicted ſtate to be our great and seaſonable deliverer by whom our Religion liberties rights and Laws were reſcued from extream danger and reſtored into that happy eſtate and condition wherein we now enjoy them.

AMONGST theſe bleſsings it was not one of the leaſt that your Majeſtie for raiſeing and improveing the trade of the Nation was pleaſed firſt in the year I^m vj^c^ and nynety three to give the Royal aſsent to ane Act of Parliament authorizeing Societies and Companys in general And then by Act of Parliament in the year I^m vj^c^ and ninety five to Erect and Eſtabliſh the Company of Scotland tradeing to Africa and the Indies with the powers priviledges liberties and immunities contained in the ſaid Act; be vertue and warrand whereof letters patent were alſo granted for the ſame effect under the great ſeal of this your ancient Kingdom.

BUT tho this Act and Patent did contain nothing ſave what is agreeable to the law of Nations and to the uſe and cuſtome every where in the like caſes yet no ſooner were they expede and the Patentees begun to act, than to the great ſurprize of the ſaid Company and of this whole Kingdom, the Kingdom of England takes the alarme and puts upon us ſeveral great and griveous hardſhips.

AS firſt there was an Addreſs made in December I^m vj^c^ & nynety five by both Houſes of the Parliament of that Kingdom wherein they Compleaned to your Majeſtie of our ſaid Act of Parliament for granting to the ſaid Company the priviledges and immunities therein mentioned as likely to bring many prejudices and miſchiefs to all your Engliſh Subjects concerned in the trade or wealth of that Nation and at the ſame time the Houſe of Commons ordained an inquirie to be made who were the adviſers and promoters of our ſaid Act of Parliament and thereupon did move and make ſeveral proſecutions even againſt ſome of the ſubjects of this Kingdom who did not ſo much as reſide in England and only were acting by vertue and warrand of our ſaid Act of Parliament and your Majeſties Patent whereby our ſaid Company was alſo diſappointed and fruſtrat of the ſubſcriptions of our own Countrey men and others in England to the value of about Three hundred thouſand pound ſterling And farder the Houſe of Lords by another Addreſs to your Majeſtie upon the twelvth of February laſt perſiſting in the oppoſition made againſt our Company and their Colony of Caledonia in Darien in the continent of America Inforced their Addreſs upon the aftermentioned grounds of its being prejudicial to their nation and inconvenient to the trade thereof and thereupon they did Juſtifie certain Proclamations emitted in the year I^m vj^c^ and ninety nine by the Governours of the Engliſh Plantations againſt our

ſaid Company and their Colony as agreeable to the abovementioned Addreſs of both Houſes of Parliament alleadgeing that the ſame did proceed upon the unanimous ſenſe of that Kingdom in relation to any ſettlement we might make in the weſt Indies and gave furth their reſolution that the ſettlement of our Colony at Darien was inconſiſtent with the good of the plantation trade of that Kingdom.

ALL which being laid before us by our ſaid Company and we haveing fully conſidered the ſame we have thereupon moſt unanimouſly concluded and paſt the Reſolve following viz. that the votes and proceedings of the Parliament of England and their Addreſs presented to your Majestie in December I^{m} vj^{c} and ninety five in relation to our Act of Parliament eſtabliſhing our Indian & African Company and the Addreſs of the Houſe of Lords preſented to your Majestie in February laſt were ane undue intermeddleing in the affairs of this Kingdom and an invaſion upon the soveraignity and independencie of our King and Parliament.

SECONDLY when the Company had ſent their Deputies to the City of Hamburgh about the moneth of April I^{m} vj^{c} and ninety ſeven to treat with that City and its Inhabitants by way of free Commerce to joyn with them according to the warrand contained in our forſaid Act of Parliament and your Majeſties letters patent Theſe Deputies were immediatly upon their arrival oppoſed by Sir Paul Rycault the Engliſh reſident in that City and Mr Creſset your Majeſties Engliſh Envoy at the Court of Lunenburgh who after they had made ſeveral Addreſſes to the Senate of that City in prejudice of our Company at length gave in to the Senate a Memorial in your Majesties name as King of Great Britain wherein they repreſent that your Majeſtie underſtanding that the ſaid Deputies endeavoured to open to themſelves a commerce and trade in theſe parts by makeing ſome convention or treaty with that City had Commanded them moſt expreſsly to notifie to the Senate that if they ſhould enter into ſuch Conventions with privat men your ſubjects who had neither Credential letters nor were otherwayes authorized by your Mätie You would regard ſuch proceedings as an affront to your royal authority and would not faill to reſent it, And then takeing notice in the ſame Memorial that the Inhabitants in that City Did without regaird to their Remonſtrances offer to make Conventions or treaties with the ſaid Deputies who (as they word it) Darred even to erect a publict office to receive ſubſcribers; They renew their Complaint beſeeching the ſaid Senate in your Majeſties name to remedie effectually this matter Which Memorial being Complained of by the ſaid Company to your Majeſtie as proceeding upon the ſuppoſition that their Deputies veſted with their powers ſufficiently made known to theſe Miniſters were not inſtructed with due Credentials and alſo expreſsly invadeing their rights and priviledges; Your Majeſtie was graciouſly pleaſed to ſignifie to the Company once and again by your Secretaries that you had given orders to theſe Miniſters not to make uſe of your Majeſties name and authority to obſtruct the Company in the proſecution of their trade with the Inhabitants of that City which nevertheleſs the ſaid Engliſh Miniſters altogether miſregarded.

WHICH being alſo Complained of to us by the Company and duely Conſidered by us We have thereupon unanimouſly Concluded and paſt another reſolve in the terms following viz. That the Memorial preſented in your Majeſties name as King of Great Britain to the Senate of Hamburgh upon the ſeventh of April I^{m} vj^{c} and ninety ſeven by Sir Paul Rycault then reſident in that City and Mr Creſset your Majeſties Envoy extraordinary at the Court of Lunenburgh were moſt unwarrantable containing manifeſt falſhoods and contrary to the Law of Nations injurious to your Majeſtie and ane open encroachment upon the ſoveraignty and independency of this Croun and Kingdom the occaſions of great loſses and diſappointments to the ſaid Company and of moſt dangerous conſequence to the trade of this Nation in all time comeing.

THIRDLY Your Majeſties favour in erecting of the forſaid Company haveing been very acceptable to the whole Kingdom and drawn in ſubscribers of all degrees and from all parts and procured a greater advance of money for a stock then was ever made on the like occaſion the Council and Directors of the Company thought good to make ſome Settlement for a Plantation And haveing Conſidered that by the forſaid Act of Parliament they were limited in their planting of Colonyes either to places not inhabited or to other places with conſent of the natives and inhabitants and not poſſeſsed by any European Prince or State, And haveing likewayes upon due information underſtood that that part of Darien in America where they thereafter fixed was no European poſſeſsion they ſet furth a very conſiderable equippage both of ships men and proviſion which arriveing upon that coaſt in November I^{m} vj^{c} and ninety eight the Conductors of the Colony did not only find the place uninhabited but alſo treated and agried with the chief men of the natives near to the place whom they found in an independent and abſolute freedom and being very kindly and friendly by them admitted our Colony took poſſeſsion and settled upon the moſt compleat right of a place void and unoccupied and with the conſent of all the neighbouring natives that could have any pretence to it, and thus the Company hoped they had made a good Settlement and happily

prevented others deſigneing for the ſame place in ſuch manner as might tend to the advantage of all your Majeſties dominions; But when they believed that their matters were thus in a hopefull and proſperous condition they were exceedingly surpriſed to hear that Proclamations had been publiſhed by the Governours of the Engliſh Plantations strictly interdicting the said adventurers ſent furth by the Company and debarring them from all ſupplies as Enemies, and that theſe Proclamations had been Execute in these parts with the utmoſt rigour forbidding our men both wood and water and anchorage and all ſorts of proviſions even for money contrary to the very rules of common humanity and within ſome weeks thereafter the Company was informed that their Colony had deſerted to the great loſs and regrate of the whole nation And tho they ſent out a very conſiderable second equippage to repoſſeſs the place yet the ſame rigorous execution was still continued againſt them Which Proclamations proceeding as we believe and that from the very ſtile and variations that may be observed in them from the errour of the Governours miſtakeing as it is like from ſome cautions given them for prevention and not from direct orders we are perſwaded were not emitted by your Majeſties Warrand Beſide that they were execute with an unheard of rigour And therefor upon a farder Complaint of our Company in this matter we have moſt unanimouſly concluded and paſt a third reſolve in theſe terms viz. that the Proclamations in the Engliſh plantations in April May June and September I^m vj^c and ninety nine againſt our Indian and African Company and Colony in Caledonia were and are injurious and prejudicial to the rights and liberties of the Company and that the Execution of theſe Proclamations againſt the adventurers sent out by the ſaid Company was inhumane barbarous and contrary to the law of Nations and a great occaſion of the loſs and ruine of our ſaid Colony and Settlement of Caledonia.

AND we taking to our farder Conſideration the proceedings of our Company in makeing the ſaid Settlement and how they have punctually obſerved the condition of the forſaid Act of Parliament and Patent in makeing their Plantations in no European poſſeſsion with the exacteſt caution both to fix in a place void and uninhabited and alſo with conſent of all the neighbouring natives that could have the leaſt ſhaddow of pretence thereto and that yet on the other hand the ſaid planters have been treated by the Spaniards firſt at Carthagena and then in the very seat of our Colony and likeways in old Spain with all inſolencies and hoſtilities not only as enemies but as pirats We thought it our duty for vindicating and secureing our ſaid Company and Colony from all imputation or charge that hath been or may be brought againſt them, to paſs and conclude with the ſame unanimity a fourth Reſolve viz. that our Indian and African Companys colony of Caledonia in Darien in the continent of America was and is legal and rightful and that the Settlement was made conform to the Act of Parliament and letters patent eſtabliſhing the said Company and that the Company in makeing and proſecuteing the said Settlement acted warrantably by vertue of the said Act of Parliament and Patent.

WE haveing thus found the forſaid Invaſions to be manifeſt encroachments upon the undoubted independency and soveraignty of this your Majeſties ancient Crown and Kingdom and unanimouſly paſt the abovementioned Reſolves and votes for aſserting the rights and priviledges of our said Company and alſo for aſserting our Companys right to their forſaid Colony of Caledonia we have further thought good to lay the ſame before your Majeſtie by this our ſolemn Addreſs.

AND therefore Do with all humble duty and earneſtneſs Beseech your Majeſtie to take this whole matter to your Royall conſideratione and to prevent all Encroachments for the future that may be made either by your Engliſh Miniſters abroad or any other to the prejudice of this Kingdom and our ſaid Company or any project of trade that we may lawfully deſigne and to aſsure our ſaid Company of your Majeſties royal protection in all their juſt rights and priviledges and to grant them your countenance and concurrence for reparation of their loſses especially thoſe great loſses and damnages that they and their Colony have ſuffered by the injuries and violences of the Spaniards.

AND farder we repreſent to your Majeſtie that the preſsing of our men by the Engliſh for their ſea ſervice contrare to the natural right and freedom of the ſubjects of this Kingdom ought to be abſolutely diſcharged.

ALL which we Repreſent to your Majeſtie with the greater confidence as being moſt aſsured that none of your Kingdoms and ſubjects are or can be more dutifully and zealouſly affected to your Majeſties Royal perſon and Government than we and the good ſubjects of this your ancient Kingdom are and ſhall ever continue to teſtifie by laying out our ſelves for your Majeſties ſervice to the outmoſt of our power.

Signed in preſence by warrand and in name of the Eſtates of Parliament By

May it pleaſe your Majeſtie
Your Majesties moſt humble moſt obedient
and moſt faithfull ſubject and Servant
Sic ſubſcribitur
MARCHMONT Cancellar. I. P. D. P.

Edinburgh 17 January, 1701.

BEFORE calling of the Rolls in the vote by which the forſaid Addreſs was approven the Duke of Hamilton and Marquis of Tweeddale did declare that they adhered to their former diſsent marked in the Minuts of the fourteenth of January inſtant and of new diſsented from this addreſs and thereupon took inſtruments and they two with fifty two other members of Parliament of the ſaid number of Sixty One formerly mentioned as voteing againſt approveing of the ſaid Addreſs Deſired their diſsents to be marked and the ſame ordered to be marked accordingly to remain in the Records of Parliament Conform whereunto they are set down here as follows.

Names of the Diſsenters from the Addreſs

Of the Nobility
Duke of Hamilton
Marquis of Tweeddale
Earl of Ruglen

Lords
Saltoun
Roſs

Blantire
Pitſligo
Bargeny
Belhaven
Colvill

Of the Commiſsioners for Barons
Sir Alexander Gilmor of Craigmiller
Sir John Lauder of Fountainhall
William Hepburn of Beinſtoun
Sir John Home of Blackadder
George Baillie of Jerviſwood
Sir Francis Scot of Thirleſtain
Alexander Johnſtoun of Elſhieſhiells
Sir Thomas Kilpatrick of Cloſburn
John Crauford of Kilbirnie
John Haldan of Gleneagles
Robert Pollock of that Ilk
John Stuart younger of Blackhall
Sir John Houſtoun of that Ilk
Sir Alexander Monro of Bearcrofts
Sir John Schaw of Greenock
Robert Hay of Strowie
Mr James Craigie younger of Dumbarny
Sir Thomas Burnet of Leyes
James Moir of Stonywood
Sir Samuel Forbes of Foveran
Ludovick Grant of that Ilk
Hugh Roſs of Kilraick
Mr Roderick McKenzie of Preſtounhall
Sir William Anſtruther of that Ilk
Mr James Carnegie of Phinhaven
Alexander Duff of Bracoe
Alexander Gordon of Gaitley
Patrick Murray of Pennyland
Sir William Craigie of Gairſey
Sir John Areſkine of Alva

Of the Commiſsioners for Burghs
Robert Smith
Alexander Edgar
Patrick Murray
John Cuthbert
Alexander Ged
Francis Moliſon
Mr James Hamilton
George Smith
Robert Faw
George Moncrief
Mr John Lyon
John Scot
Daniel Simpſon
Sir William Hamilton

OVERTURE for an Act that all the temporary priviledges and immunities granted to the Company of this Kingdom tradeing to Africa and the Indies by the eight Act of the fifth Seſsion of this current Parliament be continued to the ſaid Company for the ſpace therein mentioned after expireing of the times allowed to them by the ſaid Act read for the firſt time. [African Company]

MOVED that a Clauſe be added to the ſaid Act and Overture for ratifieing the ſaid former Act and Letters patent, and the ſaid Clauſe alſo read.

DRAUGHT of an Act from the Committie of Trade for incourageing of manufactories read for the firſt time. [Manufactories]

DRAUGHT of an Act from the Committie of Minuts for makeing up the tenor of certain Writs burnt at the late fire belonging to Sir David Home of Crocerig, read for the firſt time. [Home of Crocerig]

PETITION Mr James Daes of Coldingknowes, Craveing warrand to Cite the Officers of State Lords of Theſaury and others to Compear before the Parliament to the effect therein mentioned, read and the conſideration thereof delayed till the next Sederunt of Parliament. [Mr James Daes of Coldingknows]

THE Committies appointed to meet to morrow at nine a clock.

THE Lord Chancellar by order of His Majesties high Commiſsioner Adjourned the Parliament till to morrow at twelve a clock.

JANUARY XVIII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Earl of Mortoun ag^t the Officers of State]

MOVED that Mr David Dalrymple Advocat a member of Parliament be allowed to appear and plead for the Earl of Mortoun in the proceſs depending at his inſtance before the Parliament againſt the Officers of State and Mr David allowed to plead for the Earl in the ſaid Cauſe; and on a motion made, the forſaid Cauſe at the Earl of Mortouns inſtance ordered to be called and heard on Saturday next.

[Sir William Craigie of Gairsey]

MOVED that the petition formerly given in by Sir William Craigie of Gairſey be read; Alſo moved that the matter contained in this petition relateing to the Kings revenue does properly ly and depend before the Exchequer, and after debate the Lord Chancellar by order of his Majeſties high Commiſsioner Declared that before the Parliament ſhould riſe, and how ſoon the publict affairs were over, the Exchequer ſhould be appointed to meet in order to diſcuſs the ſaid cauſe.

[Anent the proceſs of the Earl of Argyll &c.]

MOVED that the proceſs at the inſtance of the Earl of Argyll and Creditors of the late Marquis of Argyll againſt the Duke of Gordon and Earl of Aboyne, and alſo the proceſs at the Laird of Innes his inſtance againſt the Duke of Gordon be called, and the ſaid two proceſses being called the parties compearing perſonally with their procurators, the Earl of Aboyne alleadged that he had not ſeen the Earl of Argylls proceſs albeit he had required the ſame by Inſtrument which was produced and read, and after debate the dilator was repelled.

MOVED that ſeing his Majeſties Advocat and Mr David Dalrymple Sir Patrick Home Sir Gilbert Elliot Mr David Cunningham Mr David Forbes, Mr Francis Grant, Mr William Calderwood, and Mr George Alexander, Advocats imployed by the purſuers will have occaſion in this proceſs of reduction to plead againſt the Crimes of Treaſon lybelled againſt the late Marquis of Argyll that therefor they be allowed to plead their ſaid reaſons of reduction againſt the Crimes libelled without hazard of being hereafter quarrelled for the ſame, and they were allowed accordingly.

THEREAFTER the Duke of Gordon gave in another Declinator againſt ſome members of Parliament which was read and determined as in the Minuts of that proceſs, and the procurators for the purſuers haveing inſiſted in their proceſs they did repeat the lybell and reaſons of reduction and alſo repeated the ſame reaſons of reduction as to the proceſs at the inſtance of the Laird of Innes younger againſt the Duke of Gordon; and the defenders procurators haveing proponed ſeveral dilatory defences and a debate thereon ariſeing in manner mentioned in the Minuts of proceſs, Saturday next was appointed for adviſeing the ſaid dilatory defences, and both parties ordained to deliver their Informations on Friday next.

[Laird of Pourie]

MOVED that the Cauſe at the inſtance of the Laird of Pourie be called, and aggried that the ſaid Cauſe be called and heard on Saturday next peremptorie.

[Earl of Annandale ag^t the Laird of Lag]

PROCESS at the inſtance of the Earl of Annandale againſt the Laird of Lagg called, and the purſuer compearing perſonally with his procurators, and the pro^rs for the defender alſo compearing, It was alleadged for Lagg that he was out of the Kingdom the time of the Citation and not Cited on sixty dayes; Anſwered that the dilator was not verified nor was Lagg out of the Kingdom animo remanendi; And Inſtruments being taken by the purſuer on the appearance that was made for Lagg as in the Minuts of that proceſs Decreet was craved &c. and the vote being ſtated Decern at the Earl of Annandales inſtance againſt the Laird of Lagg, conform to the concluſion of the Earls Summonds yea or nay; It carried in the affirmative, and Decreet was pronounced in the ſaid matter in manner following.

Decreet in favours of William Earl of Annandale against Sir Robert Grierſon of Lagg

ANENT the Summonds and action raiſed intented and purſued before His Majeſties High Commiſsioner and the Eſtates of Parliament at the inſtance of William Earl of Annandale againſt Sir Robert Grierſon of Lagg Mentioning that where the ſaid William Earl of Annandale obtained a decreet before the Lords of Council and Seſsion upon the Eighteenth day of February I^m vj^c and nine ty ſeven years againſt Sir Robert Grierſon of Lagg Aſsoilzieing the ſaid William Earl of Annandale from an action intented at the inſtance of the ſaid Sir Robert for the Sum of ten thouſand pounds Scots principal and annualrent and expences and from the bond and other grounds whereon the ſame was founded as alſo Reduceing the forſaid bond as from the beginning null and of none availl and as haveing been only granted in truſt in manner mentioned in the ſaid decreet againſt which decreet the said Sir Robert made and gave in a proteſt for remeed of Law to His Majeſtie and Eſtates of Parliament but hath

ever ſince that time ſuffered the ſaid proteſt to ly over without raiſeing and proſecuteing any action thereon And seeing there is no reaſon that the ſaid proteſtation ſhould ly over undiſcuſsed but that as in all other caſes there ought to be an end of Contraverſies in the method that law preſcribes and that the Parliament have in the like caſe Livetennent Collonell Erſkine againſt the Counteſs of Kincardine Granted warrand to the ſaid Livetennent Collonell to Cite the Counteſs to hear and ſee herſelfe Decerned to inſiſt in her appeal and the ſame finally diſcuſsed or otherwayes to hear and ſee her proteſt declared to be fallen and void And anent the Charge given to the ſaid Sir Robert Grierſon of Lagg defender to have Compeared before the high Court of Parliament or Committie thereof for privat affairs at an certain day now bygone to have heard and ſeen decreet and sentence given and pronunced againſt him in the ſaid matter in manner lybelled as in the prin^{tt} libelled Summonds and Executions thereof at more length is contained The said William Earl of Annandale compearing perſonally with Sir Patrick Home Sir Gilbert Elliot and Mr David Dalrymple Advocats his procurators who for Inſtructing the forſaid libelled Summonds produced in preſence of his Majeſties high Commiſsioner and the ſaid Eſtates of Parliament the Extract of the forſaid proteſtation for remede of law ſubſcribed by the ſaid Sir Robert Grierſon on the twenty fifth of February I$^{(0)}$ vj^{c} and ninety ſeven and preſented by himſelfe in preſence of the ſaid Lords of Council and Seſsion on the twenty sixth day of the ſaid moneth By which he proteſted in preſence of the ſaid Lords for remede of law to his Majeſtie and Parliament as the Extract of the said proteſtation and appeal of the date forſaid more fully bears And the ſaid Sir Robert Grierſon of Lagg being lawfully ſummoned as ſaid is and the forſaid Summonds being called by an Macer and Clerk as uſe is at the open gate of the Parliament Houſe Sir David Thoirs Advocat compeared there and was marked as pro^{r} for him And the proces after the ſaid calling being seen and returned in the terms of the Act of Parliament the ſame was thereafter moved and called in preſence of the ſaid Commiſsioner and high Court of Parliament and they haveing appointed this day for hearing thereof It was this day accordingly called in preſence of his Majeſties high Commiſsioner & the ſaid Eſtates of Parliament where the ſaid William Earl of Annandale compearing perſonally with his pro^{rs} above named And the ſaid Sir Robert Grierſon of Lagg being oft times called by Macers as uſe is in the like caſes to have compeared with his pro^{rs} to the effect forſaid and he haveing failzied perſonally to compear for that end the ſaid Sir David Thoirs compeared for him, And the procurators above named for the ſaid William Earl of Annandale reſumed the ſtate of the proceſs that the Earl of Annandale haveing obtained before the Lords of Seſsion a decreet reductive at his inſtance in foro parte comparente after a moſt litigious debate againſt the Laird of Lagg reduceing a bond alleadged granted by the Earl of Hartfield the purſuers father to Grierſon of Lagg And the ſaid defender haveing entered a proteſt for remede of law againſt the ſaid Decreet to the King & Parliament which he hath ever ſince that time ſuffered to ly over without raiſeing or proſecuteing any action upon the ſaid proteſt albeit this be the second Seſsion of Parliament ſince ſyne The ſaid purſuer was neceſsitat to raiſe a proceſs againſt the defender for Decerning him to inſiſt or otherwayes the ſaid proteſt is fallen and the ſaid purſuer free thereof in all time comeing and the ſaid Decreet of the Lords to ſtand good and valid Which Summonds for not inſiſting being alſo called before the Parliament the eleventh inſtant and Laggs pro^{rs} compearing Intimation was made to them to inſiſt peremptorie this day And therefor craved that ſince the defender has not inſiſted in his ſaid proteſt the Eſtates of Parliament would declare the ſame fallen and void and null and find the ſaid decreet pronounced by the Lords of Seſsion to be good and valid Whereunto it was answered by the ſaid Sir Robert Grierſon of Lagg his procurator above named no proceſs becauſe the defender being out of the Kingdom ought to have been cited on threeſcore dayes whereas he is only cited on fifeteen dayes To which it was Replyed by the ſaid purſuers pro^{rs} above named that the Defender was not out of the Kingdom the time the warrand was granted for Citation and the Minuts of Parliament which are printed and publiſhed & bore the ſaid warrand the twelvth of December laſt was a ſufficient Certioration And it is very eaſie for perſons who live upon the Engliſh borders to ſlip over the border when they hear they are to be Cited at a parties inſtance and ſo fruſtrat the Law Neither is it alleadged he is out of the Kingdom animo remanendi And it is known to ſeveral members of Parliament that he was at his houſe very ſhortly before the Citation And therefore it was Craved that the defenders pro^{r} might declare if he proponed the ſaid defence peremptoriæ cauſæ And farder this being a dilator ought to be inſtantly verified which otherwayes cannot be ſuſtained To which it was Duplyed be the ſaid defenders pro^{r} above named that he is poſitively informed both by the defenders ſon and in a letter from his Lady that he was out of the Kingdom the time of the Citation but Declared he did not propone the defence peremptoriæ cauſæ but only for an excuſe and deſired he might be marked abſent Whereupon the ſaid Earl of Annandale purſuer being perſonally preſent at the barr as ſaid is Proteſted that ſince Sir David Thoirs did Return the proceſs Compear and propone the ſaid defence he might be marked preſent and aſked and took Inſtruments

thereon in the Clerks hands Which libelled Summonds Execution thereof and Proteſtation for remede of Law produced by the ſaid purſuers pro[rs] as ſaid is together with the deſire Craved by them with the Anſwers Replyes and Duply made and proponed by either parties pro[rs] and proteſtation made by the ſaid Earl of Annandale all above mentioned being conſidered by His Majeſties high Commiſsioner and the ſaid Eſtates of Parliament They have Admitted and hereby Admit Certification and Decerned and Declared and hereby Decern and Declare the ſaid proteſt againſt the forſaid Decreet fallen and to be void and null And the ſaid Decreet of the Lords of Counceil and Seſsion to ſtand good and valid in all time comeing sicklike as if the ſaid proteſt had never been made.

[Erskine ag[t] Counteſs of Kincardine]

PROCESS at the inſtance of Livetennent Collonell Erſkine againſt the Counteſs of Kincardine called, and the purſuer compearing perſonally with his procurators and the defender compearing by her procurators the cauſe at the purſuers inſtance in relation to the proteſt for remeed of law taken by the Counteſs againſt the decreet of ſale of the Eſtate of Kincardine obtained at Livetennent Collonell Erſkines inſtance was debate conform to the minuts of that proceſs, and Saturday next appointed for adviſeing thereof, and both parties appointed to deliver their informations on Friday next.

[Gordon of Balcomie &c.]

MOVED that the reports from the Committee of Elections upon the Petitions given in by William Gordon of Balcomie William Pattoun of Panholls, and Thomas Robertſon be read, and agreed that the ſame be read the next day that the Parliament proceeds to privat affairs.

THE Committies appointed to meet on Munday next at nine a clock in the morning.

THE Lord Chancellar by order of his Majeſties high Commiſsioner adjourned the Parliament till Munday next at ten a clock.

JANUARY XX, M,DCC,I.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

[Anent Crimes capital &c.]

MOVED that the Committie for the Minuts bring in a report anent what was remitted to them for diſtinguiſhing of what Crimes are capital, and what Crimes do inferr the pain of treaſon; And ordered that the ſaid Committie do meet to morrow morning, in order to prepare and bring in the ſaid report.

[Marischall College of Aberdeen]

PETITION the Principall and Maſters of the Mariſchall Colledge of Aberdeen Craveing ſupplies for repairing and upholding their fabrick out of the funds mentioned in the ſaid Petition, read, and the conſideration thereof delayed till Saturday next.

[Act anent the African Company]

DRAUGHT of the Act that all the temporary priviledges and liberties granted to the Company of this Kingdom tradeing to Africa and the Indies by the eight Act of the fifth Seſsion of this Parliament be continued to the ſaid Company for the ſpace of nine years after expireing of the times allowed them by the ſaid Act, and ratifieing the ſaid former Act and letters patent, again read, and after ſome amendments made it was put to the vote Approve the Act or not and carried Approve.

[Further proceedings respecting the African Company]

MOVED that ſince the affair of the Indian and African Company is now much over that the matter of the Security of the Kingdom and forces be taken into conſideration. Alſo moved that the affairs of the ſaid Company are not yet fully over, the reſolve offered in Parliament the thirteenth of January inſtant anent the inſults of the Spaniards and their invadeing our Colony of Caledonia not being yet conſidered: After debate two ſtates of a vote were propoſed. The firſt whither the matter of the ſaid Reſolve offered be not ſufficiently conſidered in the addreſs already paſt, yea or nay, The second Approve the reſolve offered yea or nay. The Queſtion was put Whither the firſt or second ſhall be the ſtate of the vote and carried the firſt Thereafter the vote was stated whither the matter of the reſolve offered be not ſufficiently conſidered in the addreſs offered, yea or nay, and Carried in the affirmative.

THEREAFTER a Reſolve propoſed in theſe terms, That M[r] Creſset his Majeſties Envoy extraordinary at the Court of Lunenburgh, in giveing in a Memoriall to the Senate of Hamburgh the ſeventh of April I[m] vj[c] and ninety ſeven invadeing the soveraignty and independency of our King and Parliament, And M[r] Vernon one of the Engliſh Secretaries of State in ſending orders to the reſpective Governours of the Engliſh plantations for emitting Proclamations in the year I[m] vj[c] and ninety nine ſo injurious and prejudicial to our Indian and African Company, and Colony of Caledonia, and contrary to the law of nations are incendiaries and did what in them lay to creat jealouſies and animoſities betwixt the two nations, read, and after reaſoning thereupon, a vote was propoſed Proceed to the further Conſideration of this reſolve, yea or nay: Propoſed by others That the ſtate of the vote be Approve of the reſolve or

Reject; And the queſtion being put whither the firſt or second propoſal ſhall be the ſtate of the vote, it Carried the firſt; Thereafter the queſtion was put Proceed to the further conſideration of this reſolve or not, and Carried in the negative.

MOVED that the Parliament may now proceed to conſider the ſtate and Security of the Kingdom and the forces; Alſo moved that by the Reſolve of Parliament the affairs of the Indian and African Company muſt be firſt over, and the reparation of the loſses and damnages which is the principal part of their Petition, has not yet been under conſideration and the ſaid Petition deſired to be read, after reaſoning anent the ſaid two motions the farder conſideration thereof was delayed till the next dyet of Parliament.

MOVED that the caſe betwixt Laurance Power and Thomas Henderſon anent which there are bill and anſwers lying before the Parliament may be remitted to be determined by the Lords of Seſsion as is deſired by both parties, And ordered that the ſaid Caſe be accordingly Remitted as followes.

Remit to the Seſsion of the caſe betwixt Laurance Power merchant in Edinburgh and Thomas Henderſon &c.

ANENT the Petition of Thomas Henderſon Apothecary Burges of Edinburgh, the Heirs of John Charters late Baillie of Edinburgh and of the deceiſt Mr Walter Pringle of Craigcruick Advocat Deans and others humbly Shewing unto his Grace His Majeſties High Commiſsioner and the honourable Eſtates of Parliament that where Laurance Power merchant in Edinburgh haveing obtained a decreet before the Lords of Seſsion Reduceing the Petitioners Diſpoſition from the deceaſt John Power and the ſaid Laurence his ratification of the ſame and that on this head viz. That he was Circumveened and the Petitioners in the knowledge therof while in the mean time the alleadged circumventional deed is not proven by the concourſe of two witneſses: nor is the Petitioners knowledge of the Circumvention in the leaſt proven by their own oaths to which it was referred but on the contrare they all depone negatively Whereupon and upon ſeveral other grounds the Petitioners haveing appealed to the Parliament by way of proteſtation for remeed of law and accordingly intented proces of reduction before the Parliament, which was upon the eleventh of Auguſt Imo vjc.o and ninety eight years duely called seen & returned by the ſaid Powers procurators, So that there wants nothing but that his Grace and the Eſtates of Parliament may be pleaſed to aſsigne a day for hearing the ſaid matter debated in Parliament or otherwayes that it be remitted to ſome of the Members of Parliament by way of Committie to hear and report; or otherwayes that the cauſe be remitted to the Lords of Seſsion themſelves for hearing parties ſummarly upon the grounds of reduction libelled and others and to do therein as upon full hearing they ſhall think fit And therefor humbly intreating that His Grace and the Eſtates of Parliament would be pleaſed either to aſsigne a day for hearing parties procurators in the ſaid cauſe, or appoint a ſpecial Committie to hear and report; or otherwayes Remit the cauſe to the Lords of Seſsion for hearing parties procurators ſummarly upon the grounds of reduction lybelled and others and thereupon to determine in manner forſaid, as the ſaid Petition bears Which His Majeſties High Commiſsioner and the Eſtates haveing heard read in plain Parliament upon the third of January inſtant They ordained the Defenders prors to ſee and anſwer it the firſt dyet of Parliament then to have been appointed for privat affairs with Certification that they would proceed to do juſtice thereupon According to which order there were anſwers to the ſaid petition given in for the ſaid Laurance Power unto his Grace and the ſaid Eſtates informing them that the ſaid deceaſed John Power writer in Edinburgh elder brother to the ſaid Laurance being married to Agnes Deans daughter to the deceaſt James Deans one of the procurators before the Baillie Court of Edinburgh, and being a weak perſon he languiſhed in a decay from the time of his marriage to the time of his death for the ſpace of twelve moneths or thereby A litle before his deceaſe he was eaſily impoſed upon to Diſpone his means and Eſtate to his wife in liferent and to her relations and ſome few of his own in fie (failzieing a weak child whom he had begotten in the marriage who with much pains and difficulty outlived the father for the ſpace of ſix or ſeven weeks) to the prejudice of the ſaid Laurance who is his only ſurviveing brother. He the ſaid Laurance haveing then newly come to the years of majority and being conſcious of his own weakneſs did choice ſome of the perſons who were his Tutors and Curators to be his Interdictors and conſigned a bond of Interdiction in the hands of the deceaſt Baillie Charles Charters in whom he did principally confide. After his brother's deceaſe who had diſponed the fie of a part of his Eſtate to the ſaid Baillie Charles Charters and Thomas Henderſon two of the ſaid Laurance his Curators Interdictors he the ſaid Laurance was prevailed upon by their advice in whom he confided to Ratific his brother Johns diſpoſition which was on death bed upon the margine and then the Baillie cancelled the firſt bond of Interdiction and cauſed the ſaid Laurance ſubſcribe a new one poſterior to the Ratification and publiſhed the ſame to diſable him to complain of his wrong without the concourſe of his interdictors by whom only he was wronged. He haveing therefor raiſed a Reduction of his brothers diſpoſition ex capite lecti, and of his own ratification

thereof ex capite fraudis The witneſses adduced for proveing death bed did moſt evidently depone that his brother John was a moſt weak perſon the time of makeing the diſpoſition and never came abroad thereafter. And as to the Circumvention Baillie Charters his depoſition is moſt clear confeſsing that he was the Depoſitar of the firſt bond of interdiction made by the ſaid Laurence, and cancellar thereof and maker of the second. This proceſs depended for the ſpace of fifteen years through the great oppoſition the ſaid Laurence met with from his brothers relict and other relations before it could be adviſed And the probation being at laſt after a tedious debate in preſentia upon an act before anſwer conſidered by the whole Lords and the parties procs allowed to give in information thereupon and reported by my Lord Whitelaw then preſideing in the Seſsion; The Lords found the death bed manifeſtly proven for reduceing the diſpoſition and the Circumvention manifeſtly proven to reduce Laurence his ratification with this elogium that the machination was ſo groſs that the deed ought not only to have been reduced but the Contrivers puniſhed as guilty of the moſt groſs ſpecies of ſtellionat and falshood in the world, Notwithſtanding of this deliberat ſolemn and juſt interloquitor of the Lords and many bills given in by Thomas Henderſon which were juſtly refuſed yet Thomas Mackenzie late ſervitor to the Earl of Seaforth being married to Agnes Deans relict of the ſaid John Power fearing that he might be called to an account for his wifes intromiſsions with the ſaid Johns eſtate he and the other Defenders had the impudence to make and proſecute an appeal from the Lords by way of proteſt for remede of Law and has now given in a petition Repreſenting that his appeal was called and ſeen, and therefor Craveing that his Grace the Commiſsioner and the honourable Eſtates would appoint a day to hear him in cauſa before themſelves or that they would appoint a Committie for that effect or referr the cauſe to the Lords of Seſsion to be diſcuſsed ſummarly; and in this petition Thomas Mackenzie makes uſe of the names of ſeveral Children who know nothing of the matter To this Petition it was anſwered that the reflection on the Lords for adviſeing the petitioners cauſe and Decerning without probation is moſt groſs & ſcandalous and deſerves cenſure and the matter of fact is moſt calumnious; And therefor the ſaid Laurence petitioner without any further dilators is ſatiſfied either to be heard before their Lordſhips in Parliament, in cauſa, or that his Grace and their Lordſhips may referr it to be diſcuſsed summarly by the Lords of Seſsion But it is an unuſual deſire to Crave that ſo important a cauſe may be diſcuſsed by a Committie which is a contriveance made by Thomas Mackenzie the ingiver of the petition thinking to procure a Committie who may favour his intereſt through want of time to hear the Petitioners caſe now towards the end of this Seſsion of Parliament And therefor the deſire of the Petition ought to be refuſed or referred to the Lords of Seſsion who acted ſo deliberately therein before the ſaid Caſe being in apicibus juris and fit only for their Lordſhips conſideration as the ſaid anſwers alſo bear Which petition and anſwers abovewritten being this day Conſidered by His Majeſties high Commiſsioner and the ſaid Eſtates of Parliament They have Remitted and hereby Remit to the Lords of Seſsion to Determine the caſe in manner and to the effect repreſented.

THE Committies appointed to meet to morrow at nine a clock in the morning.

THE Lord Chancellour by order of His Majeſties high Commiſsioner adjourned the Parliament till to morrow at ten a clock.

JANUARY XXI, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Overture anent Crimes capital and not capital]

OVERTURE for an Act brought in from the Committie of Minuts for diſtinguiſhing what Crimes are capital and what not, read and ordered to lye on the table; and the ſaid Committie appointed to bring in a report with all diligence of what was farder remitted to them for defineing the Crimes that do inferr treaſon and for clearing the laws thereanent.

Reſolve concerning the Security of the Government

A RESOLVE propoſed in theſe terms that in regaird of the great and never to be forgot deliverance it pleaſed God to give this Kingdom by his Majeſtie and that our ſafety and happineſs depends (under God) upon the preſervation of his perſon and Security of his Government; We will ſtand by and support his Majeſtie and his Government to the outmoſt of our power and maintain ſuch forces as ſhall be neceſsary for theſe ends. Which reſolve was read.

HIS Majeſties high Commiſsioner made a ſpeech to the Parliament upon the matter, and to the effect mentioned in the ſaid reſolve.

MOVED that the forſaid Reſolve be taken to conſideration by the Parliament and that they preſently proceed thereto.

[Indian & African Company] OVERTURE propoſed in behalfe of the Company of Scotland trading to Africa and the Indies that they ſhall have the rents of the Biſhopricks not already diſpoſed of to Colledges and pious uſes and the rents of the poſt office with the tunnage and poundage for the ſpace of twenty one years for makeing up of their loſſes pro tanto, which Overture was read and ordered to lye on the table.

[Colony of Caledonia] A RESOLVE alſo propoſed in theſe terms that all thoſe of the Colony of Caſedonia who either unwarrantably deſerted or baſely betrayed and ſurrendered the Settlement and delivered up the Indians our Allies to the Spaniards are guilty of high Crimes and ought to be proſecute for the ſame as ſoon as they can be apprehended and that ſuch worthy perſons as behaved honourably and faithfully in that undertakeing and particularly the perſons therein named be rewarded for the Encouragement of others to ſerve the intereſt of their Countrey faithfully in time to come read and ordered to ly on the table.

MOVED again that the Reſolve firſt abovementioned for Supporting of his Majeſtie and his Government be taken to conſideration and after reaſoning a vote propoſed Approve the reſolve or not; Moved by others that the vote be Approve or Amend the reſolve It was put to the queſtion whither the firſt or second propoſal ſhall be the state of the vote and it Carried the firſt Thereafter the vote was stated Approve the Reſolve or not and carried Approve.

[Anent the establishment of the Army] MOVED that the Parliament do now proceed to conſider what troups will be neceſsary for Security of the Kingdom and the funds proper for their maintainence; Moved alſo that firſt the arrears due to the diſbanded officers both before and ſince the year I^{m} vj^{c} and ninety three and alſo the accounts of the funds given for the uſe of the army ſince the Revolution and how the ſame has been diſpoſed on may be laid on the table and that the ſeverall Eſtabliſhments of the army and particularly the Eſtabliſhment produced before the Parliament in the year I^{m} vj^{c} and ninety eight with the preſent eſtabliſhment be alſo laid before the Parliament in order to be conſidered by them and after reaſoning the conſideration of the ſaid ſeveral propoſalls and the method and order of bringing in the ſame to the Parliament was delayed till the next Sederunt.

[Overture for an Act for Security of the Kingdom] OVERTURE for an Act for Security of the Kingdom in caſe of the deceaſe of his preſent Majeſtie and of his heirs and succeſsors and for reſcinding the Act of ſucceſsion in the year I^{m} vj^{c} and eighty one read, and ordered to ly on the table

THE Committies appointed to meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XXII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Act for Security of the Kingdom] DRAUGHT of an Act for Security of the Kingdom in caſe of the deceaſe of his preſent Majeſtie and of his heirs and succeſsors and Reſcinding the Act of ſucceſsion in the year I^{m} vj^{c} and eighty one years, read for the firſt time.

[Forces & Supplies] OVERTURE for an Act for continueing a certain number of forces and allowing the Supplies therein mentioned for their maintainence dureing the ſpace contained in the ſaid Overture, Read.

MOVED that the Accounts of the arrears due to the army and how the funds given for that uſe since the Revolution has been diſpoſed of and the ſeveral Eſtabliſhments of the forces be all laid before the Parliament and ordered that the Clerk of Theſaury do produce the accounts of the funds and Eſtabliſhments in order to be conſidered by the members of Parliament.

MOVED that the number of ſtanding forces to be continued both officers and ſentinells be ſpecially condeſcended on; Alſo moved that the modelling of the forces be left to his Majeſtie provideing their pay do not exceed the funds to be now given by the Parliament; And after reaſoning the further conſideration of theſe motions adjourned till the next dyet of Parliament to be then firſt conſidered.

[Quotas of Testaments] DRAUGHT of an Act diſchargeing the Quotas of Teſtaments since the year I^{m} vj^{c} and eighty nine and declareing all bonds granted for them to be null, Read for the firſt time.

ORDERED that the Committies do meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of his Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XXIII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Accounts and Eſtabliſhments] MOVED that the accounts of the funds and Eſtabliſhments formerly mentioned be laid on the table, and accordingly the Inventory of the books of the ſaid Accounts and Eſtabliſhments were given in, and the Clerk of Theſaury ordered to attend in the Theſaury room and make patent the ſaid accounts, with Inſtructions, and Eſtabliſhments to all members of Parliament who deſire to ſee the ſame.

[Overture for an Act anent Treason] OVERTURE for an Act brought in from the Committie of Minuts. concerning the Crime of treaſon and clearing the old laws thereanent read, and ordered to lye upon the table and aggried that the ſame be again read the firſt Sederunt of the next week.

[Justiciary in the Highlands] OVERTURE for an Act renewing the Commiſsion of Juſticiary in the Highlands and for better preſerveing the peace thereof, read and ordered to ly on the table.

[Anent keeping up of the Forces] OVERTURE for an Act that without conſent of Parliament no forces be keept up in time of peace but ſuch as may be maintained on the annexed Exciſe and other property belonging to the King without burdening the Kingdom with ceſs or land tax, read.

[Anent the standing Forces] THE conſideration of the overture formerly given in anent the ſtanding forces with the debate ariſeing thereon again reſumed; It was propoſed that three thouſand men of the ſtanding forces conform to the preſent Eſtabliſhment be continued; And an other overture propoſed for keeping up Two thouſand men or thereby conform to the draught of an Eſtabliſhment given in and read After debate aggreed that the Queſtion be firſt put as to the number of the ſaid forces and the vote being ſtated whither the number of the forces to be continued ſhall be three thouſand men, or two thouſand two hundred men, It carried three thouſand men; One Hundred and Eight voters, to Ninety Four.

THE Committies appointed to meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XXIV, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

OVERTURE of an Act anent the makeing of peace and war, read. [Peace & War]

THE conſideration of the matter of the forces again reſumed and the draught of an Eſtabliſhment extending to Two thouſand nine hundred ninety five men produced and read, and another draught of an Eſtabliſhment extending to three thouſand men alſo given in and read. [The Forces]

MOVED that the Quota and ſum of the Eſtabliſhment firſt produced be taken into conſideration and that the Eſtates of Parliament may agree to the ſame Alſo moved that the Eſtabliſhment produced in Parliament in the year I^m vj^c^ and ninety eight to which the Act of Supply then made does relate be firſt conſidered and that the two Eſtabliſhments now offered do lye on the table till another dyet of Parliament After debate the Queſtion was ſtated Proceed or Delay and carried Proceed. [Establishment & Supply]

THEREAFTER moved that the ſaid Eſtabliſhments offered be Remitted to a Committie, Alſo moved that the quota and funds for maintaining the number of the forces already voted be remitted, After debate agreed that it be Remitted to the Committie for Security of the Kingdom to conſider the two Eſtabliſhments produced and the quota and funds for maintaining of the three thouſand men voted and to bring in an Act thereupon the firſt Sederunt next week to be proceeded upon in Parliament preferable to all other buſineſs.

ORDERED that the Committies do meet to morrow at nine a clock in the morning.

THE Lord Chancellar by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at twelve a clock.

JANUARY XXV, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

PETITION Patrick Murray of Pennyland and other heretors of the Shire of Caithnes Craveing a revaluation of the Lands lying within the ſaid [Shire of Caithnes]

ſhire read and the deſire thereof Granted, And agried that the Valuators names be adjuſted by the Earl of Breadalbain and the Commiſsioner to the Parliament for the ſaid ſhire of Caithneſs at the ſight of the Lord Chancellour which was accordingly done before Extracting of the following Act thereon.

Act for revalueing the Shire of Caithneſs

ANENT the Petition given in and preſented to His Majeſties High Commiſsioner and the right honourable the Eſtates of Parliament by Patrick Murray of Pennyland Commiſsioner for the ſhire of Caithneſs John Sinclair of Forſe Innes Tutor of Sandſide and Calder of Lynager for themſelves and in name of the other heritors of the ſhire of Caithneſs who will adhere to them Shewing that where the Heritors of the ſaid ſhire Do generally complain of their being unequally valued amongſt themſelves And the proviſions in former Acts of Parliament impowering the Lords of Privy Council in ſuch caſes to rectifie valuations hath met with ſome difficulty in reſpect the power given to them was to rectifie but not expreſsly to revalue, And therefor craveing his Grace and the honourable Eſtates of Parliament to Ordain a revaluation of the ſaid ſhire and for that effect to Authorize the Earl of Breadalbaine the Lord Glenurquhy Sir James Sinclair of May the Laird of Murkle Sir William Dumbar of Hemprigs Sir George Sinclair of Clyth the Sheriff Depute of Caithneſs for the time the Laird of Ulbſter David Sinclair of Freſwick the Laird of Brims Alexander Sinclair of Brebſter the Laird of Forſe Sutherland M[r] John Campbell of Caſtlehill Commiſsar of Caithneſs M[r] Robert Dumbar of Myrland M[r] Patrick Murray of Pennyland Patrick Dumbar of Bowarmartine James Sutherland of Langwall the Earl of Breadalbains Chamberland in Caithneſs for the time M[r] Alexander Calder of Auchingaile the Baillies of Thurſo for the time John Sinclair of Forſe Mudie of Melſter William Sutherland of Geeſe the Laird of Dumbeath Alexander Sinclair of Dun John Sinclair of Stirkok Donald Budge of Toftingall elder & Budge of Toftingall younger Heretors of the ſaid ſhire they allwayes being qualified according to law to Review the former valuation and to rectifie and revalue not only for themſelves but for the whole Heretors concerned as they ſhall find cauſe and to Appoint the dyets of meeting and to Impower the ſaid Valuators to call the whole Heretors and all parties haveing intereſt and to take all manner of probation by witneſs writ or oath of partie as they ſhall find requiſite and to expede the ſaid revaluation with all diligence and to settle and give out the roll thereof ſubſcribed with their hands and by the Clerk to the Commiſsioners of Supply as the juſt valuation of the ſaid Shire & rule of payment in all time comeing and to ordain the Collectors of the Supply or of any other publict burdens payable furth of the ſaid ſhire by valuation to exact and uplift conform to the ſaid new valuation and roll thereof to be eſtabliſhed as ſaid is and that five of the forſaid valuators may be a quorum certifieing ſuch of the Heretors as ſhall not Compear to give their oaths when required ſhall be holden as confeſt And that the forſaid roll of valuation ſhall ſtand good againſt them whither they Compear or not And to appoint the firſt day of the meeting of the whole Heretors and valuators for the end forſaid to be at Weik or Thurſo upon the firſt Tueſday of May next to come and to Empower the forſaid valuators or their forſaid quorum to appoint the dayes and places of meeting after the forſaid firſt meeting and to do every thing elſe requiſite and uſual in ſuch caſes for the ends forſaids as the ſaid petition bears Which Petition and Deſire thereof with an liſt given in and ſubſcribed by the ſaid Earl of Broadalbain and M[r] Patrick Murray and allowed be the Chancellour containing the haill fornamed perſons to be valuators for valueing the ſaid ſhire of Caithneſs being read in preſence of his Majeſties high Commiſsioner and the ſaid Eſtates of Parliament and they being therewith well and ryply adviſed His Majeſties high Commiſsioner and the ſaid Eſtates of Parliament have Ordained and hereby Ordain a revaluation of the forſaid ſhire of Caithneſs and for that effect have authorized and hereby authorize the haill forenamed perſons to be revaluators they being allwayes qualified conform to Law With power to them to review the former valuations and to Rectifie and Revalue not only for themſelves but for the whole Heretors concerned as they ſhall find juſt And to appoint the dyets of meeting and to call the whole Heretors and all parties haveing intereſt and to take all manner of probation thereanent as they ſhall think juſt And to settle the revaluation and give out the rolls thereof ſubſcribed by them and their Clerk to the Commiſsioners of Supply as the juſt valuation of the ſaid ſhire and rule of payment in all time comeing and to ordain the Collectors of the Supply or of any other publict burdens payable furth of the ſaid ſhire by valuation to exact and uplift conform to the ſaid new valuation and roll thereof to be Eſtabliſhed as ſaid is and that thirteen of the ſaid valuators ſhall be a quorum Certifieing ſuch of the Heretors as ſhall not compear to give their oaths when required ſhall be holden as confeſt and that the forſaid roll of valuation ſhall ſtand good againſt them whither they compear or not And have Appointed and hereby Appoint the firſt Dyet of their meeting at Thurſo the firſt Tueſday of May next to come And have Impowered and hereby Impower the ſaid Revaluators or their forſaid quorum to appoint the dayes or places of their meeting after the forſaid firſt meeting and to do every thing requiſite and uſual in ſuch caſes for the ends forſaid And

have Appointed and hereby Appoint the Sherriff or his Deputes Conveener.

REPORT from the Committie of Elections on the Petition given in by William Gordon of Balcomy againſt Sir William Hope read, And after debate the Queſtion was ſtated Grant warrand to Cite Sir William Hope in the terms of the report or Remit the matter therein contained to be cognoſced and determined by the Judge ordinar, and Carried Remit as followes.

Remit to the Judge ordinar of the affair at the inſtance of Mr William Gordon of Balcomy agt Sir William Hope

ANENT the Petition of Mr William Gordon of Balcomy Advocat, Elizabeth Wood his ſpouſe Mary Gordon their daughter, Jean Gordon and Andrew Ediſon their ſervants, and Alexander Burnet ſometime factor to Sir Thomas Burnet of Leyes humbly Shewing unto His Grace His Majeſties high Commiſsioner and the Honourable Eſtates of Parliament that albeit by the conſtant and uncontraverted Laws of this Kingdom and practick thereof the Crimes of oppreſsion and intrudeing upon any mans right and poſſeſsion by open violence bangſtrie and oppreſsion and the imploying and ſending out of officers and ſouldiers under dayly pay or imployed and intruſted by his Majeſtie for preſervation of his Majeſties Leidges, and defameing them by open proclamations or placards at Church doors upon the ſabbath day and diſchargeing his Majeſties Leidges to correſpond buy or ſell with any free Leidge under ſevere penalties, and the breaking up of doors under cloud and ſilence of night and the wounding and beating of his Majeſties Leidges as alſo the illegall quartering of ſouldiers under his Majeſties pay upon any of the ſubjects and blocking up of any of his Majeſties leidges within their own dwelling houſe and threatning to blow up the ſame with Gun-pouder and not allowing them and his Majeſties other ſubjects to converſe and go in to correſpond with others and threatning to kill any that ſhould look out at the windows be Crimes of a high nature and ſeverely puniſhable eſpecially where the ſame is done and committed by perſons intruſted by his Majeſtie for defence and preſervation of the ſubjects their rights and poſſeſsions and peace of the Kingdom and out of a covetous and ſiniſtruous deſigne to force any of the ſubjects out of their juſt rights and poſſeſsions and to compell them by ſuch unjuſt methods and practiſes to make over and diſpone their lands eſtates rights and poſſeſsions at ſuch unreaſonable rates as the actors and contrivers thereof think fit to propoſe. Nevertheleſs it is of verity that Sir William Hope Deputy Governour of the Caſtle of Edinburgh Mr James Balfour ſon to the late Laird of Forret Mr George Arnot Writer in Edinburgh James Fairfoul late Commiſsar of Brichen Thomas Colvill indweller in Crayll corncaſter to the ſaid Sir William Robert Philp younger there his barnman John Couper there his barnman James Anderſon in Pittowie, James Bell his officer Serjeant Hugh Miller in the Caſtle of Edinburgh John Mackdonald ſouldier there Thomas Watſon there Macknab there Hugh Wilſon and Logan ſouldiers there, and gairdiner to the ſaid Sir William and ſouldier there and Searjant Robert Andrew in Collonell Rows regiment are guilty of and have preſumed to commit the Crimes abovewritten In ſo far as the ſaid Mr William Gordon being in the peaceable poſſeſsion of the mannor place of Balcomy yeards and orchyeards, dove coats, and office houſes thereto belonging and of the drawing of the teind ſhaves ipſa corpora of the Lands and Barony of Balcomy and Kilminnan and of the fiſh boats thereto belonging severals whereof were bought and built by the ſaid Mr William himſelfe, yet the ſaid Sir William Hope haveing a covetous deſign to make a purchaſe of the ſaid Lands and Eſtate of Balcomy and to force the ſaid Mr William out from his right and poſſeſsion of the ſame did fall upon theſe moſt unjuſt and oppreſsive methods and contrivances underwritten viz. Primo The complainant Mr William Gordon haveing imployed John Dalgarno his own ſervant to roup the rents of the Lands of Balcomy (the manner place yeards dove coats teind ſhaves and fiſh boats being allwayes excluded from the ſaid roup) he imployed the ſaid Mr James Balfour and Mr George Arnot to engage as Cautioners for John Dalgarno for the tack duty for which the ſaid Land Eſtate was rouped and cauſed the ſaid John Dalgarno tranſmit his right of the roup in their favors, And for their farder ſecurity againſt all hazards and damnadge which they ſhould happen to ſuſtain by their undertakeing the ſaid roup the ſaid Complainant did diſpone in their favors not only his right to the drawing teinds of the forſaid lands but likewayes several appriſeings and other preferable rights which he had acquired upon the ſaid lands and eſtate, And albeit the ſaid rights granted by the Complainant to the ſaid Mr James Balfour and Mr George Arnot were only deeds of truſt and granted for their farder ſecurity allennarly as aforſaid and that the Complainant had interpelled them by a legal Citation to Denude and Renunce the forſaid rights ſua granted upon truſt in his favors as being more then ſatiſfied by their intromiſsions of all pretences they had to the eſtate; yet the ſaid Sir William Hope did ſo far prevail with them upon the granting to them of a bond of warrandice againſt all hazards to perſwade them to tranſmit that right in his favors (albeit they were only granted upon truſt) for their ſecurity as ſaid is upon his granting to them the forſaid bond of warrandice againſt all hazards as ſaid is they ſhould happen to ſuſtain upon the account of any backband promiſe or condition made by them to

the Complainant at their obtaining of the ſaid rights in manner forſaid Secondly the ſaid Sir William Hope haveing viis et modis obtained the ſaid rights eſtabliſhed in his perſon as ſaid is (albeit the matter was rendered litigious by a proceſs before the Lords againſt the ſaid Mr James Balfour and Mr George Arnot long before the ſaid Sir William his acquiſition) yet the ſaid Sir William immediately after he obtained an aſsignation from them in manner forſaid did upon the twelvth day of December Imo vjc· and ninety nine ſend a Serjeant and a party of his Majeſties forces and under dayly pay with him with an expreſs Warrand under his hand of the tenor following viz. Yow are furthwith ordered with your party of four ſouldiers to go to the barn yeards of Balcomy and take poſſeſsion of the corns barns dovecoats cunninghars and teind fiſhes as ye will be anſwerable Sic ſubſcribitur W. Hope. With a poſtſcript upon the end thereof viz. Serjeant Hugh Miller Obſerve the orders abovewritten in every point as ye will be anſwerable. Sic ſubſcribitur W. Hope. In proſecution of which orders abovewritten the ſaid Serjeant and his party did upon the fourteenth day of the ſaid moneth of December or one or other of the dayes of the ſaid moneth go to the Toun and Lands of Balcomy and under cloud and ſilence of night break open the Complainants barn doors of Balcomy wherein there was belonging to him above twenty one bolls of bear and ten bolls of peaſe worth fourteen pounds Scots per boll and ane hundered and fifty thraves of straw worth one merk per thrave all belonging to the Complainant at the time, and imbazelled and diſpoſed of it as they thought fit not allowing the Complainant the leaſt ſhare thereof ſo much as one ſtraw for the maintainence and ſuſtainence of twenty ſix head of horſe and cattle belonging to him at the time by which many of them were expoſed to ſtarveing whereby the Complainant was neceſsitate to put the one half off below the fifth part of their value: And not being ſatiffied therewith did break open the doors of the Complainants two dovecoats and ſpoiled the lock holes thereof and drove iron naills and wadges therein and frighted away the haill doves out of the ſame, and threatned to kill and murder the fiſher men belonging to the Complainants boats becauſe they refuſed to deliver to the ſaid party the proportion of fiſhes belonging to him in the ſaid boats and by force violence and open bangſtrie intrometted with the proportion of the Complainants fiſhes for fourty one dayes together And the ſaid Sir William Hope not being ſatiffied with the acts of injuſtice violence and oppreſsion abovewritten but apprehending the Complainant would ſeek a legal redreſs before the Judge competent the ſaid Sir William as a farder evidence of his malice and envy againſt the Complainant did cauſe read publictly at the Kirk doors of Craill and Kingſbarns, and thereafter cauſe affix copies upon the ſaid kirk doors of the tenor following I Sir William Hope Deputy Governour of the Caſtle of Edinburgh heretable proprietor of the Lands and Barony of Balcomy and Kilminnan by appriſeings and infeftments of ãrent Inhibite and Diſcharge all and sundry to buy ſell or any wayes have dealing with Mr William Gordon pretended heretor of Balcomy Thereby in plain terms Intercommuneing the Complainant albeit by the uncontraverted Laws and practiques of this Kingdom Intercommuning is only competent to his Majeſtie and the Lords of his Majeſties Privy Councill So that the uſeing of ſuch placads publictly was a downright encroaching upon his Majeſtie and his Highneſs authority competent to his Majeſtie and his Privy Councill allennarly excluſive of all others: By which unjuſt and irregular practiſes the Country people were ſo afrighted that the Complainant and his family were ſo reduced to ſo great ſtraits that they were almoſt at the point of ſtarveing by reaſon none within theſe two paroſhes would either buy or ſell with him even for ready money And the miller of the Barony of Balcomy was ſo terrified by being expreſsly diſcharged by the said Sir William himſelfe the ſaid Mr James Balfour and James Fairfoull that he would not preſume to grind any of the Complainants corns for his own uſe and no other perſon in the Country would preſume to meddle with him or to supply him or his family in the leaſt for fear of the hazard of the ſaid Sir William his ſevere placad and intercommuneing And after the Complainer had applyed to the Lords of his Majeſties Privy Councill, and after a full hearing of Sir William and his Lawyers at the bar obtained a warrand firſt from the Privy Council in preſentia and then from the Lords of Seſsion for removeing the ſaid party yet the ſaid Sir William ſtill perſiſting in his old malice againſt the Complainer did upon a pretended warrand impetrat by himſelfe from the ſheriff depute of Fyfe send a new party of ſouldiers under his Majeſties dayly pay in the Caſtle of Edinburgh under the command of Serjeant Robert Andrew in Collonell Rows regiment to continue his former oppreſsion againſt the Complainer in manner abovewritten And thereafter he ſent another party of ſouldiers under the command of the ſaid Macknab and John Mackdonald who did quarter upon the Tennents of the ſaid Lands of Balcomy and by open force and violence exacted dry quarters from them contrare to the claime of right and did threaten to kill and murder the Tennents unleſs they would yoke their horſes and carts and carry away the Complainers corns, and forced them to carry away the ſame both corn and fodder without either proofing the ſame or telling the thraves therof; And of new again did break open the Complainers barn doors, and did carry away the corns therein with all the flaills, raiks, keys, ſacks, canvaſses

and other materials with them All which they did ſay was by a warrand from the Lords of Councill and Seſsion which the ſaid James Fairfoul did read to the ſaid Tennents and that the Lord Preſidents hand and all the reſt of the ſaid Lords hands were at the ſamen, and did cut and deſtroy about thirteen great growing trees about fourty years old at leaſt and burn them in the barns then full of corns And did fall upon the ſaid Mary Gordon a child of twelve years of age the Complainers daughter and thruſt and threw about and diſjoynted her arm with that violence that being diſjoynted it inſtantly ſwelled ſo extremely that for many dayes thereafter ſhe was not able to make uſe of the ſame Likeas the perſons above complained upon did upon the day of February laſt or one or other of the dayes of the ſaid moneth fall upon the ſaid Alexander Burnet and gave him many cruel and bloody wounds upon the head and blae ſtroaks upon his body and left him for dead upon the place so that his life and recovery was deſpaired of Likeas upon the thirty day of July laſt bypaſt or upon one or other of the dayes of the ſaid moneth the ſaid James Fairfoull being expreſsly imployed and hounded out by the ſaid Sir William Hope did come to the harbour of Fifeneſs where Jean Gordon the Complainers ſervant was uplifting the petty Cuſtoms whereof the Complainer had been in poſſeſsion for many years precceding And after many execrable oaths and villanous obſcene and opprobrious expreſsions (which are unworthy to be named or heard of among Chriſtians) he did moſt cruelly and barbarouſlie fall upon the ſaid Jean Gordon and with a ſtaf or battoun of a prodigious bigneſs did ſo cruelly and barbarouſlie beat the ſaid Jean Gordon upon the back, ſides and arms that for many dayes thereafter ſhe was not able to ſtand go or walk abroad but keeped her bed continually dureing which time her recovery was deſpaired by many perſons: As alſo upon the second day of Auguſt thereafter the ſaid James Fairfoul did with the forſaid rung or ſtaf moſt cruelly beat Andrew Edieſon and others the Complainers ſervants ſo that for many dayes thereafter he was rendered unable to go about his work and buſineſs as formerly And thereafter the ſaid James Fairfoul did offer to kill him dead becauſe he was murmuring and complaining of the ſevere ſtroaks he had received from him Likeas upon one or other of the dayes of the ſaid moneth of Auguſt when Elizabeth Wood the Complainers wife was uplifting the ſmall cuſtomes at Fifeneſs the ſaid James Fairfoul did draw a piſtol and threaten to kil the ſaid Elizabeth, And being informed that the ſaid Elizabeth had uplifted ſome of the ſmall cuſtomes at Fifeneſs he did fall upon her and ſtrained and backbended her fingers and held her in great pain and torment untill he or ſome of the Caſtle ſouldiers that were with him by open force and violence robbed all the money that was upon her at the time And haveing drawn a piſtoll and offered to ſhoot the Complainers wife and ſhe haveing aſked how he came to wear arms ſince he was not qualified in the terms of the Act of Parliament the ſaid James Fairfoul did moſt inſolently anſwer that he did not care (with a great deal of deference and reſpect to his Grace and honourable Eſtates) a fart of his arſs for all the Parliament could do and that he would cauſe Sir William Hope ſend a greater party of Caſtle ſouldiers to call up her baggadge, and immediatly thereafter fell upon Jean Gordon the Complainers ſervant and beat her moſt cruelly with a great battoun; And about the twenty day of Auguſt laſt bypaſt when the Complainers wife was gathering up the teind lint whereof he had been in poſſeſsion for many years preceeding the ſaid James Fairfoul, did come to the ground and after many opprobrious threatnings and expreſsions did by force and violence carry away the haill lint that was upon the ground both ſtock and teind and diſpoſed thereof as he pleaſed Likeas upon the twenty sixth day of Auguſt or one or other of the dayes of the ſaid moneth the ſaid Sir William did ſend John Mackdonald and Thomas Watſone two ſouldiers of the Caſtle of Edinburgh to the ſaid Toun and Maynes of Balcomy with a number of others their aſsociats who broke up the Complainers barn doors and took poſſeſsion thereof at their own hands and forced the Tennents of the Barony of Balcomy to furniſh them with beding and other neceſsaries threatning to ruin and deſtroy all thoſe who would not obey their unjuſt Commands and actually forced many of the said Tennents to give them dry quarters and continued ſo ſorning upon the ſaid tennents untill the Sixteenth of October thereafter By all which the ſaid Sir William Hope and the other perſons above complained upon at leaſt as actors, at leaſt as airt and pairt of the ryots violence and oppreſsions and others above complained upon for which they ought not only to refound and pay to the Complainer the ſum of Twenty thouſand merks as damnage loſs and prejudice ſuſtained by him through their forſaid illegal procedure unjuſtice and oppreſsion and in the mean time be Diſcharged for any wayes meddleing with the maills farms and duties of the said Lands dureing the tack ſet by the Lords of Seſsion but that the profites and emoluments thereof may fall appertain and belong to the Complainer but likewayes to be further puniſhed in their perſons and goods to the example and terrour of others to do the like in time comeing And therefor it was craved by the Complainers that his Grace and the Honourable Eſtates of Parliament would Grant Letters to Summond Warn and Charge the perſons above complained upon to compear before his Grace his Majeſties high Commiſsioner and honourable Eſtates of Parliament to anſwer to the points above complained of And alſo to Cite witneſses

conform to the Act of Parliament intituled an Act anent Proceſses and Citations before the High Court of Parliament, and in the mean time would Grant the Petitioner a perſonal protection dureing the dependence or otherwayes Ordain Letters to be direct to Summond his Creditors to hear and ſee the ſaid protection Granted as the ſaid petition bears In anſwer whereunto the ſaid Sir William Hope gave in a Repreſentation to his Grace His Majeſties High Commiſsioner and Honourable Eſtates of Parliament Mentioning that Mr William Gordon haveing diſperſed a ſcandalous and malicious Lybell againſt him wherein the matters of fact are wholly miſrepreſented and whereby it would ſeem he intends to repreſent Sir William to the ſaid honourable Houſe as an intruder and moſt cruel oppreſsor Therefor the ſaid Sir William for his own vindication and that the truth of the whole affair might be made known as it is has preſumed to lay before his Majeſties High Commiſsioner and the ſaid honourable Houſe a true and impartial account of the affair as followes The Eſtate of Balcomy in Fife being a long time exhauſted with incumbrances and ſequeſtrat by the Lords of Seſsion for payment of the Creditors according to an Extracted Decreet of ranking the Creditors being deſireous that their money ſhould not lye as an dead ſtock but that the Eſtate ſhould be expoſed to publict roup there were two different proceſses of ſale intented one at the inſtance of Mr Mark Lermont Advocat and an other at the inſtance of the Lord Kemney with concourſe of the moſt part of the other Creditors Sir William Hope intending to make a purchaſe of the ſaid Eſtate and to be a bidder at the roup he for that end acquired ſome of the preferable rights upon the Eſtate and particularly acquired Mr Mark Lermonts and the Lord Kemneys rights at whoſe inſtance the ſale was carried on Nor did he enter into theſe tranſactions untill he had acquainted Mr William Gordon and his Lady with his deſigne who at firſt ſeemed moſt ſatisfied The Eſtate being ſequeſtrat by the Lords as ſaid is and farmed out by way of roup to Mr James Balfour of Randerſtoun and Mr George Arnot they did alſo make over their right of tack to Sir William together with ſome other real debts they had upon the Eſtate and certain debts due by Mr William Gordon together with the ſecurities they had therefore upon the teinds and any other intereſt Mr William Gordon pretended to the Eſtate As alſo Mr William Gordon being incarcerat at the inſtance of ſome of his Creditors Sir William did pay the debts and took him out of priſon being put in expectation of a fair and amicable tranſaction whi[illegible] was promiſed when Mr William ſhould be s[illegible] liberty: But far otherwayes Mr William aft[illegible] was set at liberty would condeſcend to no rea[illegible]le terms, and not only keeps ſtill poſſeſsion [illegible] teinds which was the only ſubject out of [illegible] Sir William could expect his relief of the debts Sir William was engaged in and had payed for him but likewayes being in poſſeſsion of the manſion houſe he thereby took all occaſion to obſtruct Sir Williams getting payment from the Tennents by vertue of the tack ſet by the Lords of Seſsion to which he had right and reft by violence what he could from the tennents and intruded into ſome of their poſſeſsions So that Sir William Hope was oblidged both for his own payment & relief and defending the Tennents and his own poſſeſsion as tackſmen to intent a removeing againſt Mr William from the manſion houſe as alſo to put an act of ſequeſtration of the teinds pronunced by the Sheriff of Fife in execution which his Cedents Randerſtoun and Mr George Arnot had obtained againſt Mr William for payment of what Mr William was due to them and which as ſaid is they made over to Sir William Hope together with the debts This removeing being firſt intented before the Sheriff was by conſent of Sir William advocat to the Lords As alſo Mr William Gordon haveing intented a Council proceſs upon Sir Williams putting the Sheriffs Act of ſequeſtration in Execution the point of right was remitted by the Council to be cognoſced before the Lords of Seſsion In which two proceſses there are ſeveral Interloquitors pronounced and the whole very near brought to a concluſion Which Mr William foreſeing, and that thereupon he would be neceſsarly oblidged to cede the poſſeſsion being no wayes in a capacity to pay off Sir William and that his own proper debt does far exceed any intereſt he has upon the Eſtate of Balcomy Therefor he has taken a moſt irregular courſe to interrupt the procedure of the Lords of Seſsion and to calumniat Sir William by a petition to his Grace and Honourable Eſtates of Parliament but which is rather an invictive lybell full of calumnies and lies and requireing things to be done in his behalfe beyond all order of law and form of juſtice as is contained in the concluſion and petitory part of his Lybell It is impoſsible to anſwer all the invented aggravations contained in Mr Williams defamatory paper and would too much take up the time of the honourable Houſe which is more precious than to be beſtowed upon ſuch trifles; And therefore Sir William ſhall only in ſhort ſhew the injuſtice done him in what is repreſented and the illegal and irregular demands of the petitioner And Firſt whereas the petitioner does narrate a long ſtory of Sir William Hopes ſending over ſouldiers and takeing poſſeſsion of the teinds It is anſwered firſt for Sir William his vindication that Mr William Gordon being debitor to him in upwards of fourteen thouſand merks beſides the debts he payed when he took him out of priſon all that he had for his relief was the teinds of Balcomy which Mr William Gordon poſſeſsed and Sir William's cedents Balfour of Randerstoun and Mr George Arnot haveing right by diſpoſition to theſe

teinds from Mr William Gordon and upon that diſpoſition haveing obtained before the Sheriff of Fife an act ſequeſtrating the teinds for their payment all which was made over to Sir William. After that he could prevail nothing by fair means with Mr William Gordon and that Mr William was (in manifeſt contempt of the Sheriffs order) ſtill meddleing with and diſpoſeing of the teinds, Sir William thought himſelf ſufficiently warranted by the Sheriffs act to ſtop his ſo doing and for that effect made uſe of his ſervants who uſed no violence but only hindered Mr William Gordon from carrieing away the teinds and embazeling of the ſame Secondly this matter is already determined by a ſentence of the Lords of Council in ſo far as Mr William Gordon haveing purſued Sir William as guilty of a ryot before his Majeſties Council; the Council by their act did repone Mr William Gordon into the poſſeſsion in reſpect that the Sheriffs act of ſequeſtration ought to have been put in execution by the Sheriffs own officer but did not find Sir William guilty of any ryot beeauſe of a probable ground he had to proceed by vertue of the Sheriffs warrand and only remitted the point of right to be ſummarly diſcuſsed before the Lords of Seſsion Upon all which there is an act of Council extracted and which has been ſo far homologat by Mr William Gordon that proceſs has thereupon depended before the Lords of Seſsion and therefor it is evident Sir William was guilty of no ryot And the matter is already determined by a moſt competent Judicature and ſo Sir William needs not be at the pains to take notice of the particular aggravations mentioned in the storie feing theſe were contained in his lybell before the Council and are all calumnious. Whereas Mr William Gordon alleadges that Sir William cauſed affix at the kirk doors of the paroch placads makeing mention of his own rights and prohibiteing all perſons to have any dealing with Mr William Gordon It is anſwered firſt It is not understood what this could amount to Secondly the true matter was that Sir William haveing got right by aſsignation to the tack of roup of the Eſtate of Balcomy ſet by the Lords and finding that Mr William Gordon did take up from the Tennents their farm ſo far as he could by all the oppreſsive and unjuſt methods He thought fit his right ſhould be intimat to the Tennents and for that end cauſed make a publict intimation therof at the pariſh Church door that the Tennents might be in mala fide to make any payment to Mr William Gordon and this is all of that particular which Mr William would exagerat and term Placading and Intercommuneing But Thirdly Mr William did dureing the dependence of the proceſs before the Seſsion repreſent this particular to the Lords who haveing remitted the conſtderation thereof to one of their own number and Sir William Hope being ready to clear the matter before the Lord to whom the ſame was remit, Mr William ſuffered the matter to fall and inſiſted no furder haveing no other deſigne thereby than to calumniat: So that this Complaint is already tabled before the Seſsion Whereas it is furder alleadged that notwithſtanding that Sir William was ordained to remove the party by Act of Privy Council yet he did by another party seize upon the teinds and carry the ſame away by force which Mr William Gordon likewayes exagerats in his uſual manner with other Circumſtances of violence: It is anſwered that there was immediatly obedience given to the Act of Privy Councill and Mr William put in the free poſſeſsion of the teinds But that afterwards Sir William cauſed a meſsenger legally poynd a part of the teinds for his payment by vertue of hornings on regiſtrat bonds And what Mr William terms another party and pretended warrand and acts of violence was nothing elſe but the legal poinding of a meſsenger conform to executions of poinding which Sir William has to produce; and if the meſsenger had any aſsiſtance with him it is what the Law allowes and was abſolutely neceſsar there And what was done was all legally done for the Corns were caſt to the proof threſhed out by order and in preſence of the meſsenger, And Mr William Gordon haveing likewayes made a Complaint to the Lords of Seſsion upon this ſame deed and Sir William being ready to produce his poinding, Mr William did no furder inſiſt Whereas it is furder alleadged by Mr William Gordon that Sir William did obſtruct him in the drawing of the teind fiſh of the Toun of Craill: It is anſwered that Mr William Gordon has not the leaſt ſhaddow of right thereto for theſe teinds were never any part of the Eſtate of Balcomy but belonged to the Toun of Craill and are in uſe to be ſet yearly by the Magiſtrats of the Toun by way of roup who did ſet them to Sir William's Chamberland this year and Mr William Gordon being Tackſman the laſt year took it ill that the Toun ſhould ſet theſe to any other and ſo not only diſturbs Sir William's Chamberlain in the poſſeſsion but makes a Complaint as if he were an intruder whereas it is evident none has right to the teind fiſh but the Toun and to whom the Toun ſets them, Whereas there are ſome other acts of violence made mention of in the petition as done by Sir William's ſervants; as they are highly calumnious and falſe ſo if there were any ground of Complaint Sir William has far more reaſon to be the Complainer than Mr William Gordon For he haveing right to the rents of the Eſtate by a running tack from the Lords it has been Mr William Gordon's conſtant work (and wherein he is favoured by his reſidence in the place) to harraſs and oppreſs the Tennents and reive their farms from them and ſometimes has the confidence to ſtreik up his own ploughs and intrude himſelfe into the poſſeſsion And Sir William being in the natural poſſeſsion & lyable to Count yearly to the

Lords for the tack duty he has all the reaſon in the world to defend his own poſſeſſion and he never gave any orders to his ſervants and Tennents in the leaſt to trouble Mr William Gordon but only that they would defend their poſſeſſion againſt his inſults; And if Mr William Gordon met with any reſiſtence in ſuch a caſe he has himſelfe to blame For ſuch has been his malice that not only has the Tennents corns been reft from them but when he could not prevail by reiveing his ſervants have endeavoured to make it uſeleſs by throwing in ſand & dirt amongſt the dicht corn; And one time when the Tennents were carrieing their corn to be ſhipped for Leith they were ſet upon by Mr William his ſervants and complices with ſwords and piſtolls and had ſeveralls of their ſacks cut As alſo if Sir Williams ſervants did maintain their poſſeſſion of the teind fiſh set by the Toun of Craill againſt Mr William Gordon's frequent violent diſturbances and if they met with blows or other ſuch uſage in ſuch caſes it is eaſie to judge who is to blame, and if Sir William Hope ought not rather to have been the Complainer. But the main thing that Mr William Gordon demands in his petition and which is the true deſigne of it (theſe pretended ryots being only to calumniat Sir William and make his own caſe more favourable) is that Sir William may be ordained to Cede his poſſeſſion of the Eſtate to Mr Wm Gordon and to be comptable to him for the Excreſce profites of the byrun years of the tack upon this pretext that Randerſtoun and Mr George Arnot Sir William's cedents were Mr William's truſtees in the tack and got the ſame for his behoove: It is needleſs for Sir William to trouble the honourable Houſe with a deduction of the grounds of this debate, but only to anſwer that this matter has been depending before the Lords of Seſsion wherein there are already Interloquitors pronunced finding that Mr William Gordon had no right to the tack nor excreſce profites and has diſcuſt a declarator of truſt depending at Mr William Gordon's inſtance upon that head; So that its hoped the right honourable the Eſtates of Parliament will not meddle with that civil matter unleſs it come in by way of appeal according to the order of Law From all which it may appear how injurious Mr William Gordon is to Sir William Hope and how irregular his procedure is by ſuch a petition: For all is already determined either by Council or Seſsion, or depending before the Seſsion, And ſuppoſeing the matter were intire there are competent eſtabliſhed Judicatories for decideing of rights and determineing in Complaints of ryots amongſt the Leidges to which they ought to reſort and not trouble the high Court of Parliament who are taken up with the weightier matters of the Kingdom with ſuch ſmall trifles betwixt privat perſons; And Sir William craves leave only farder to add that this petition is given in while under a reference to the Lord Preſident and other three of the Lords of Seſsion which Sir William was ready to comply with notwithſtanding of the injuries he had met with and the advantage of the Interloquitors pronunced in his favors in the Seſsion and juſt at a time when the Lord Preſident and the other Lords arbitrators were appointing dyets of meeting to interpoſe in the affair: And therefor it is hoped that his Grace and right honourable Eſtates of Parliament would not only refuſe the deſire of this petition but do it with a mark of their diſpleaſure that all ſuch may be diſcouraged in time comeing as the ſaid Repreſentation given in by way of anſwer to the forſaid petition alſo bears Which petition being upon the twelvth day of November laſt bypaſt read in preſence of His Majeſties High Commiſsioner and the ſaid Eſtates of Parliament they Remitted the ſame with the forſaid Repreſentation in anſwer thereto unto the Committie for Elections and to conſider whither or not there be ground for granting to the petitioner a warrand to cite the perſons thereby complained upon to anſwer to the abovewritten Complaint before the Parliament and to report Conform to which Remit the ſaid Committie haveing conſidered the ſaid petition with the forſaid anſwers made thereto and documents produced for inſtructing of the ſame and haveing heard the parties procurators thereupon They gave in their report to the Parliament dated the fourth of December laſt Bearing that they were of opinion that a warrand ſhould be granted for citeing Sir William Hope and the other perſons complained of to appear before the Parliament to anſwer allennarly to ſuch of the ryotous facts and deeds mentioned in the forſaid petition as are not contained in the lybell formerly raiſed at the petitioners inſtance againſt Sir William Hope before the Lords of Privy Councill as the ſaid report of the Committie alſo bears Which Report being this day read in preſence of and conſidered by his Majeſties ſaid Commiſsioner and the Eſtates of Parliament They have Remitted and do hereby Remit the matter abovewritten therein contained to be cognoſced and determined by the Judge ordinar.

[Proceſses the Earl of Argyle &c. ag[t] the Duke of Gordon &c.]

PROCESSES the Earl of Argyle and Laird of Innes againſt the Duke of Gordon and Earl of Aboyne called, And upon offers made by the parties hinc inde the members of Parliament afternamed viz. the Earl Mariſchall the Earl of Annandale the Viſcount of Seafield Lord Secretary Sir Hugh Dalrymple Lord Preſident of the Seſsion Sir James Stuart his Majeſties Advocat and Sir William Hamilton one of the Senators of the Colledge of Juſtice were deſired to withdraw with the parties for adjuſting a Submiſsion to his Majeſtie And the ſaid parties and members having removed and being again returned they reported that the parties were upon the matter aggried but that the

defenders defired to be adviſed till Munday next that then the report may be made in Parliament And that in caſe either party did refile a dyet might be appointed for adviſeing the dilators and farder hearing the ſaid cauſe ſometime the next week peremptorie.

[Home of Croſsrig] DRAUGHT of an Act from the Committie of Minuts for makeing up the tenor of certain writs brunt at the late fire belonging to Sir David Hume of Croſsrig again read, and after ſome amendments made the vote was stated Approve the Act or not, and carried Approve.

[Mr James Daes] PETITION Mr James Daes of Coldingknowes Craveing warrand to Cite the Officers of State Lords of Theſaury and others to appear before the Parliament to the effect therein mentioned, Read, and anſwers to the ſaid Petition likewayes read: After reaſoning the queſtion was stated Grant warrand to Cite or Remit the matter therein contained to be determined by the Lords of Seſsion with a parliamentary power and carried to Remit as hereafter followes.

Remit to the Seſsion in favors of Mr James Daes of Coldingknowes agt James Hay of Carriber ANENT the Petition of Mr James Daes of Coldingknowes Advocat humbly Shewing unto his Grace his Majeſties high Commiſsioner and right honourable the Eſtates of Parliament That where the Petitioner by the rigour and ſeverity of the late times for his nonconformity and pretended diſaffection to the then Government was by a ſurprize ſeazed upon by a party of dragouns under cloud of night and carried from his own houſe priſoner to the tolbuith of Edinburgh where he was detained a conſiderable time without the leaſt intimation of the cauſe for which he was either Seized or Committed And thereafter was indited and accuſed before the Secret Council upon a multitude of the pretended Crimes of the time which tho frivolous yet no probation could be had for makeing the Petitioner guilty of the ſame albeit ſuſpect and inhabile witneſses were made uſe of to faſten a guilt upon the Petitioner Nevertheleſs it behooved him to ſuffer becauſe of the character he went under and therefor the Petitioner was fined in the ſum of five thouſand merks and his Eſtate adjudged for the ſame at the inſtance of the receiver of the Crown rents and he himſelf alſo detained priſoner by the ſpace of thirteen moneths and afterwards was oblidged to leave the Country And now ſeeing both by the General Act reſcinding fines and forefaultures and the particular Acts in favors of perſons under the like circumſtances with the Petitioner It is provided that all diligence and the grounds thereof uſed and execute for the cauſes forſaid ſhould be declared void and null with all that has followed or may follow thereon As alſo it is highly neceſsar that the Petitioner and his lands and Eſtate ſhould be free and diſburdened of the forſaid diligence and incumbrance with all the conſequences thereof whereto both are obnoxious to this hour It is therefor neceſsar for annulling the forſaid adjudication and reduceing the ſame with all that has followed or may follow thereon by decreet of the high Court of Parliament that the Petitioner be allowed a Warrand for Citeing the Officers of State as the proper Contradictors in this Caſe And therefor he humbly Craved His Grace and the honourable Eſtates of Parliament to Grant Warrand to him the ſaid Petitioner for Citeing the Lords of his Majeſties Theſaury and the Officers of State and particularly Alexander Gibſone of Durie as depute to and haveing Commiſsion from Charles Earl of Selkirk Lord Regiſter with the Clerks of Privy Council upon twenty four hours as to ſuch of them as are within the Toun of Edinburgh and fifeteen dayes as to the reſt within the Kingdom to Compear before His Grace and honourable Eſtates of Parliament to anſwer the ſaid proceſs with Certification as the ſaid Petition bears, Whereunto there were given in for James Hay of Carribber the following Anſwers Mentioning that whereas the Petitioner alleadges that he was fined by the Privy Council for nonconformity, and pretended diſaffection to the Government in five thouſand merks for which he was impriſoned and his lands adjudged, and in order to Reduce the decreet of adjudication led for payment of the fine Craves Warrand to Cite the Officers of State ¶ It is anſwered for James Hay who has ſome intereſt in the matter that Mr James Daes was fined for ſpeaking & uttering ſeveral expreſsions tending to the miſconſtructing his Majeſties proceedings and Government and being impriſoned and his lands adjudged for that ſum he gives James Hay a Commiſsion to get him a diſcharge of the fine and adjudication and allowed him to pay Two thouſand five hundred merks for it and the diſcharge accordingly was procured and is yet in James Hays hand ready to be delivered when he ſhall pay the debt And Coldingknowes haveing advanced a part of five hundred merks gave bond for two thouſand merks to James Hay which was (purſuant to Mr James Daes his Commiſsion) payed to another for procureing the ſaid diſcharge Upon which bond there is proceſs preſently depending before the Lords of Seſsion wherein the Lords appointed James Hays oath to be taken and he has already deponed and his oath is ready to be adviſed when the ſeſsion fits Mr James Daes notwithſtanding of the proceſs before the ſeſsion did raiſe a new proceſs before the Parliament in the year Ic vjc and ninety five which was Remitted to the Lords of Seſsion And in the year Ic vjc and ninety eight he again petitioned that the matter might be cognoſced in the Parliament But

upon a repreſentation what length the proceſs was come before the ſeſsion his Petition was refuſed Theſe Petitions in Parliament being made of purpoſe to put a ſtop to the proces before the Lords and afford him the Exception of lis alibi pendens to wit before a more ſoveraigne Court It was therefore humbly Craved that his Grace and honourable Eſtates of Parliament would refuſe the ſaid Petition ſeeing the adjudication is already diſcharged and the matter depending before and ready to be determined by the Lords of Seſsion as the anſwers alſo bear Which abovewritten bill with the forſaid anſwers made thereto by James Hay of Carribber being this day read in preſence of and Conſidered by his Majeſties High Commiſsioner and the Eſtates of Parliament They have Remitted and hereby Remit the Conſideration of what is mutually repreſented to the Lords of Council and Seſsion and to hear all parties procurators concerned thereupon and with a parliamentary power to Determine therein as they find juſt.

[Mr James Gregory]

PETITION Mr James Gregory Profeſsor of Mathematicks in the Colledge of Edinburgh Craveing an Act to be paſt in his favors for the uſe of a Machine invented by him for raiſeing of water and that all others be diſcharged to make uſe thereof for the ſpace mentioned in the Petition, read; Alſo the report of the Committie to whom the ſame was remitted with the draught of an Act relative thereto, read for the firſt time.

PETITION Mr James Smith of Whitehill Craveing that he may be authorized to make uſe of an engine for raiſing of water to the effect therein mentioned and that no others make uſe thereof without his licence, read; And the report of the Committie to whom the ſame was remitted alſo read; The queſtion was ſtated Grant the deſire of the ſaid Petition yea or no and Carried in the affirmative in manner following.

Act in favors of Mr James Smith of Whitehill

ANENT the Petition of Mr James Smith of Whitehill humbly Shewing to His Grace his Majeſties high Commiſsioner and the right honourable the Eſtates of Parliament that where Captain Thomas Savory in the Kingdom of England obtained his Majeſties Letters patent under the great ſeal of that Kingdom and likewayes ane Act of their Parliament for the ſole uſe of an engyne or invention for raiſeing of water and occaſioning motion of mill-work by the force of fire and that for the ſpace of thirty five years from the date of the ſaid Act: And that by Articles of agreement ſigned betwixt the ſaid Captain Thomas Savory and the Petitioner upon the twenty ſecond of March Ic vjc and ninety nine, or Ic and vjc years He hath allowed and given to the Petitioner the Communication of the ſaid invention with the modell of the ſaid engine to be made uſe of by him within this Kingdom upon the conditions and proviſions contained in the ſaid Articles Likeas ſince the Petitioners ſaid bargain with the ſaid Captain he has made additions to the ſaid Engine to conſiderable advantage ſo that in the ſhort ſpace of an hour there may be raiſed thereby no leſs than the quantity of twenty tuns of water to the hight of fourteen fathoms And ſeeing that the ſaid engine may be of ſingular uſe for the benefite of coal works and other water works within this Kingdom; and that in reſpect of the Expences it hath already coſt the Petitioner and of the ſaid bargain and Conditions he is lyable to this project and invention deſerves his Grace and their Lordſhips encouragement and particularly that none have the liberty to make uſe thereof but with the Petitioners conſent and licence given under his hand dureing the whole ſpace of thirty four years yet to run of the forſaid patent granted to Captain Savory and that by the authority of this high and honourable Court of Parliament, As alſo that the ſaid Petitioner is ready to ſhew the ſaid engine and to give all reaſonable ſatiſfaction as to the probability and uſefullneſs thereof to any of the members of this honourable Houſe that may be appointed for that effect And therefor Craveing His Grace and their Lordſhips to authorize his right to and uſe makeing of the forſaid Engine and Invention within this Kingdom to the effect the Petitioner may impart and communicat the benefite thereof as the ſame ſhall be called for and parties and he can beſt agree And withal to Statute and Ordain that none preſume to make uſe thereof for the end forſaid without the Petitioners ſpecial and expreſs warrand and licence under his hand for that effect dureing the ſpace forſaid as the forſaid Petition bears. Which being upon the twenty third day of December laſt bypaſt read in preſence of His Maties high Commiſsioner and the ſaid Eſtates the ſame was by them Remitted to the Committie appointed for reviſeing the Minuts According to which Remit the ſaid Committie haveing conſidered the ſaid Petition and ſeen the Engine abovementioned Reported to the Parliament that it was their opinion that the deſire of the ſaid Petition ought to be granted as the report thereanent dated the thirtieth of December laſt alſo bears Which Report abovementioned with the forſaid Petition being this day read in preſence of and Conſidered by his Majeſties high Commiſsioner and the ſaid Eſtates they have Approven and hereby Approve of the forſaid Report And therefore have Authorized and hereby Authorize the Petitioner his right to and uſe makeing of the forſaid Engine and invention within this Kingdom to the effect he may impart and communicat the benefite thereof as the ſame ſhall be called for and parties and he can beſt agree And withall do hereby Statute and Ordain that none preſume to

make uſe thereof for the end forſaid without the Petitioners ſpecial and expreſs warrand and licence under his hand for that effect dureing the ſpace forſaid.

ORDERED that the Committie for Security of the Kingdom, and the other Committies do meet on Munday next at nine of the clock in the morning.

THE Lord Chancellour by order of His Majeſties High Commiſsioner Adjourned the Parliament till Munday next at ten a clock.

JANUARY XXVII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Earl of Argyll &c. ag^t the Duke of Gordon &c.] THE Earl of Argyll in regaird the Duke of Gordon did not agrie to what had been treated and reported by the honourable members appointed to treat betwixt them preſented a declaration to be read which was accordingly read and whereby for the cauſes therein contained he ſiſts further proceſs for this Seſsion of Parliament in the action at his inſtance againſt the Duke of Gordon and Earl of Aboyne With proteſtation that the proceſs commenced may be held ſtill depending untill it be finally determined, and thereupon took inſtruments.

DECLARATION by the Laird of Innes alſo preſented and read whereby he for the cauſes therein contained ſiſts his proceſs depending before the Parliament againſt the Duke of Gordon and deſired that his proceſs might be ſtill held as depending untill its final deciſion, and thereupon took inſtruments.

THE Earl of Aboyn for himſelfe and in name of the Duke of Gordon Declared that they adhered to the offer of ſubmiſsion mentioned in the former dayes Minuts of that proceſs, Whereupon Inſtruments were taken.

[Anent the Forces] DRAUGHT of an Act from the Committie for Security for keeping up the number of forces therein mentioned and allowing the funds therein ſpecified for their maintainence dureing the ſpace therein contained, read for the firſt time.

[Quots of Testaments] DRAUGHT of an Act for diſchargeing the Quots of teſtaments fallen due ſince the year I^m vj^c^ and eighty nine and in time comeing and for delivering up of all bonds granted for the ſame again read, and being put to the vote Approve or not it carried Approve.

DRAUGHT of an Act for the farder adjourning the Seſsion, read, and after debate the queſtion was ſtated allow a firſt reading to be marked on the ſaid Act or not, and Carried in the affirmative. [Adjourning the Seſsion]

DRAUGHT of an Act againſt Breakers of houſes, thieves and their reſetters read for the firſt time. [Breakers of houses]

DRAUGHT of an Act renewing the Commiſsion of Juſticiary for the Highlands read for the firſt time. [Justiciary for the Highlands]

OVERTURE for an Act anent the peace of the Highlands read and ordered to ly upon the table. [Peace of the Highlands]

OVERTURE for an Act for arming of the fencible men in the Kingdom who are or ſhall be qualified in manner therein mentioned, read. [Arming the fencible men]

THE Committies appointed to meet to morrow at nine of the Clock in the morning.

THE Lord Chancellour by order of His Majesties High Commiſsioner Adjourned the Parliament till to morrow at ten of the clock.

JANUARY XXVIII, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the Act from the Committie for Security of the Kingdom anent the forces be again read, and proceeded in conform to a former Minut; Alſo moved that the Overture for arming the Country which was laſt read yeſternight be now conſidered, and after debate two ſtates of votes were propoſed The firſt proceed to the finiſhing of the Act for provideing the forces or allow the Overture for arming the Country a firſt reading; The second Proceed to the Act for maintaining the forces or to the overture for arming the Country and other good laws in order to a firſt reading; And the queſtion being put whither the firſt or ſecond of the ſaid propoſalls ſhould be the ſtate of the vote it Carried the firſt And the ſaid firſt ſtate of the vote being again read; the queſtion was put proceed to the finiſhing the Act for provideing the forces or allow the Overture for arming the Country a firſt reading it Carried to finiſh the Act anent the forces. [Anent the Forces &c.]

THEREAFTER the forſaid Act read and again read in paragraphs, After ſome amendments made

the narrative of the Act was agried to: Moved that the Eſtabliſhment preſented by his Majeſties Theſaurer Depute may be read and the ſame was accordingly read, After debate two ſtates of votes were propoſed, The firſt if the Quota of Supplie for maintaining the three thouſand men ſhall be conform to the abbreviat of the Eſtabliſhment preſented by His Majeſties Theſaurer Depute and preſently read, yea, or nay; The second reſtrict the Eſtabliſhment read to fewer regiments or not: And the queſtion being put whither the firſt or second propoſal ſhould be the ſtate of the vote it Carried the firſt And the ſaid firſt ſtate being again read the Queſtion was put if the quota of the Supplie for maintaining the three thouſand men ſhall be conform to the abbreviat of the Eſtabliſhment preſented by his Majeſties Theſaurer depute and preſently read, yea or nay, it Carried in the affirmative.

MOVED that the ſaid Eſtabliſhment upon which this vote is paſsed be ingroſsed in the body of the ſaid Act and the queſtion being thereupon ſtated Ingroſs the ſaid Eſtabliſhment in the Act of Parliament, or not, it Carried in the negative.

THEREAFTER moved that the time of continueing the forces be determined and ſeveral propoſalls being made thereanent After debate the queſtion was ſtated whither the forces ſhall be continued untill the firſt day of June I^{m} vij^{c} and two years or untill the firſt day of December I^{m} vij^{c} and two and carried untill the firſt day of December I^{m} vij^{c} and two, One Hundred and Seven, to Seventy Eight.

BEFORE calling of the Rolls upon the ſaid vote, the Duke of Hamilton deſired his diſsent from continueing the forces untill December I^{m} vij^{c} and two to be marked and thereupon took inſtruments and his name with the names of Sixty ſeven more members of Parliament of the ſaid number of Seventy Eight formerly mentioned who did alſo deſire their diſsents to be marked, were accordingly marked to remain in the Records of Parliament, and they here follow.

Names of the members who deſired their diſsents from continuing the forces till December 1702 to be marked

Of the Nobility
The Duke of Hamilton
The Marques of Tweddale

Earls
Mariſchal
Rothes
Strathmore
Tullibardine
Ruglen

The Viſcount of
Strathallan

Lords
Saltoun
Roſs
Blantire
Forreſter
Pitſligo
Bargany
Elibank
Belhaven
Duffus
Colvill

Of the Commiſsioners for the Barons
Sir Alexander Gilmor of Craigmiller
Robert Craig of Riccartoun
Robert Dundaſs of Arnieſtoun
Sir John Lauder of Fountainhall
William Hepburn of Beinſtoun
Sir John Home of Blackadder
George Baillie of Jerveſwood
William Bennet younger of Grubbet
Sir James Scot of Gala
Sir Francis Scot of Thirleſtain
James Pringle of Torwoodlie
Sir Alexander Murray of Blackbarony
William Baillie of Lamingtoun
James Hamilton of Aikenhead
Sir Thomas Kilpatrick of Cloſburn
John Crauford of Kilbirnie
John Haldan of Gleneagles
Robert Pollock of that Ilk
Mr John Stuart younger of Blackhall
Sir John Houſtoun of that Ilk
Sir John Shaw of Greenock
Patrick Murray of Livingſtoun
Thomas Sharp of Houſtoun
Robert Hay of Strowie
Mr James Craigie younger of Dumbarny
Sir Thomas Burnet of Leyes
James Moir of Stonywood
Sir Samuel Forbes of Foveran
Ludovick Grant of that Ilk
Sir William Anſtruther of that Ilk
Mr James Carnegie of Phinhaven
Alexander Duff of Bracoe
Alexander Gordon of Gaitley
Patrick Murray of Pennyland
Sir William Craigie of Gairſey
Sir John Erſkine of Alva
Sir David Arnot of that Ilk

Of the Commiſsioners for Burghs

Robert Smith	Mr James Hamilton
Alexander Edgar	George Smith
John Boiſwell	Robert Faw
Patrick Murray	Robert Stuart
John Cuthbert	Mr Robert Clelland
Alexander Gedd	Daniel Simpſon
Francis Moliſon	

THE farder conſideration of the ſaid Act adjourned, in order to be firſt proceeded in the next Sederunt of Parliament.

THE Committies ordered to meet to morrow at nine a clock in the morning.

THE Lord Chancellour by order of his Majeſties High Commiſsioner Adjourned the Parliament till to morrow at ten a clock.

JANUARY XXIX, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Establishment of the Forces] MOVED that the Eſtabliſhment of the forces preſented by his Majeſties Theſaurer depute and read in Parliament the laſt diet, be ordered to be recorded in the books of Parliament And the vote being ſtated Record the Eſtabliſhment in the Books of Parliament or not, it Carried in the negative.

Offer anent Baillie Meinzies his tack of the Excise THE Act for provideing the forces again read and proceeded in, Propoſed that the annexed inland Exciſe formerly allowed by his Majeſtie and set in tack to Baillie Meinzies for fourty thouſand pound ſterling of yearly tack duty for ſeverall years yet to come be a part of the fund for maintaining the ſaid forces; And a debate ariſeing anent the ſaid tack duty, the Tack set by the Lords Commiſsioners of his Majeſties Theſaury to Baillie Meinzies was read, Alſo a petition given in by the ſaid Tackſmen read whereby they Craved upon the conſiderations therein mentioned to be relieved and diſcharged of their ſaid tack; After reaſoning upon the matter of the forſaid Exciſe It was propoſed in Parliament that if the Theſaury will aſsigne Baillie Meinzies's tack of the Exciſe for the three years thereof yet to run that ſubſtantial perſons will accept of the ſamen and find Security to the Theſaury to pay fourty thouſand pound ſterling yearly for three years as the tack duty of the ſaid annexed Exciſe: Which propoſal being read was marked by the Lord Chancellour, and

Remit to the Excheq^r concerning the Exciſe after reaſoning thereupon It was agried that it be Remitted to the Lords of his Majeſties Theſaury and Exchequer to hear the propoſall offered to make good Baillie Meinzies his tack for payment of the fourty thouſand pound ſterling yearly in time comeing as alſo to hear any other offer or propoſal that may be made for raiſeing of the ſaid Exciſe to the beſt avail.

THEREAFTER moved that the quota voted for payment of the Three thouſand men in ſo far as the ſame ſhall not be payed by the inland annexed Exciſe ſhall be made up by a Land Ceſs; Alſo moved that the concealments by falſe muſters of the forces be a part of the ſaid fund, And a petition given in by John Smith late muſter maſter depute anent that affair, deſired to be read, Agried that the petition of the ſaid John Smith be read how ſoon the Parliament ſhall proceed to conſider the arrears of the army.

LIKEWAYES moved that a pole or a third part of penſions and ſallaries marked paper or an impoſition upon glaſs windows may be proper funds for makeing up of the quota for maintaining the ſaid forces; After debate the Queſtion was Stated make up the ſaid quota by a Land Ceſs alone or by ſome other of the above mentioned funds, and Carried to make up the quota by a Land Ceſs alone.

[Ratifications & Acts for Fairs to be revised] HIS Majeſties high Commiſsioner appoints the Lords Advocat, Theſaurer depute or Juſtice Clerk or any two of them to reviſe the Ratifications and Acts for fairs to be preſented in this Seſsion of Parliament.

THE Committies appointed to meet to morrow at nine a clock in the morning.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at twelve a clock.

JANUARY XXX, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Anent the Excise] THE Lord Chancellor did report that the Lords of Theſaury and Exchequer had met conform to the Remit mentioned in the former dayes Minuts and had heard the offers and propoſalls made for the annexed inland Exciſe and did reſume what had paſt betwixt the Lords of Theſaury and the offerers thereanent and afterwards Gave in the ſame in writeing bearing that the Lords of the Theſaury and thoſe who offered for the ſaid Exciſe did not come to a concluſion on the propoſall formerly mentioned, Which was read.

MOVED that without further debate upon the ſaid tack of the Exciſe the Parliament Conſider how much Land Ceſs will be neceſsary with what may be effectually expected out of the fund of the Exciſe to make up the quota of the Eſtabliſhment of three thouſand men already voted. After debate the Queſtion was ſtated whither for maintaining of the forces there ſhould be given five or ſix moneths Ceſs and Carried Six moneths Ceſs.

[Anent the Forces] THEREAFTER the Act for provideing of the forces was proceeded in and read and ſeveral amendments made and being again read in mundo It was put to the vote Approve the Act or not, and carried Approve.

[Burgh of Fortrose]

MOVED that a Petition offered from the burgh of Fortroſe againſt the late general Receivers and others Craveing redreſs of certain abuſes be conſidered, and agried that the ſame be remitted to be cognoſced and determined by the Lords of Privy Council Which Remit is as followeth.

Remit to the Privy Council in favors of the Magiſtrats of Fortroſe ag^t the late general receivers & others

ANENT the Petition of the Magiſtrats of the Burgh of Fortroſe humbly Shewing to His Majeſties high Commiſsioner and the right honourable the Eſtates of Parliament that where Sir James Oſwald and James Dunlop late general receivers without any ſhaddow of law or juſtice ordered a party of the forces commanded by one Mr Scot in Captain Preſtoun's troop of Dragouns to quarter on the ſaid Burgh in September I^m vj^c^ and ninety nine years for an old alleadged reſt of ſix hundred pounds Scots of Ceſs pretended to be due by the ſaid Burgh and that preceeding Candlemaſs one thouſand six hundred and ninety one which is now about nine or ten years agoe And which orders the ſaid party did put in Execution with great rigour and cruelty and the higheſt acts of oppreſsion expreſsly contrair to Law In ſo far as Primo there could be no ſuch ſummar Orders or Execution iſhued out againſt the Petitioners untill firſt a previous ſentence had preceeded finding the ſaid old Ceſs due ſeeing diligence was not done for the ſame within the three years allowed by Law Secundo by ſeveral Acts of Parliament and Meeting of Eſtates particularly by the Acts of the Meeting of Eſtates in the year I^m vj^c^ and eighty nine and by the Acts of Parliament in the years I^m vj^c^ and ninety I^m vj^c^ and ninety three, I^m vj^c^ and ninety five, I^m vj^c^ and ninety ſix and I^m vj^c^ and ninety eight no perſon lyable in payment of his Majeſties supply are holden to produce their diſcharges or recepts of the ſame after three years from the reſpective terms of payment unleſs that diligence be done by denunciation before elapſing of the ſaid three years and the ſaid receivers can never ſubſume that ever they did diligence by denunciation within the ſaid three years yea not within ſeven years nor to this hour Tertio as the ſaid Burgh was not oblidged to produce their Diſcharges so the truth is they had them not to produce becauſe the Collectors were dead and much of the lands in the hands of ſingular ſucceſsors And it were the hardeſt thing in the world that they relyeing upon the faith and ſecurity of theſe Acts of Parliament made for the ſecurity of the Leidges ſhould be troubled and oppreſsed after so many years and if this be allowed then the general Receivers may go backward for fourty years Ceſs which how great a hazard and inconveniencie it may be to the nation is remitted to the conſideration of the Parliament. And upon theſe moſt relevant grounds and reaſons the Petitioners preſented an bill of ſuſpenſion to the Exchequer whereupon there was ſiſt of Execution granted from the fifth of October I^m vj^c^ and ninety nine to the firſt of December thereafter which was intimat to the party And thereafter the ſaid general receivers being acquaint thereof they did take up the ſaid bill with the ſiſt of execution out of the Clerks hands to let their Advocats ſee them and thereafter returned them to the Clerk; And becauſe the Petitioners could not get the ſaid ſuſpenſion diſcuſt all the laſt winter ſeſsion before the Exchequer through the throng of other buſineſs there were ſeveral ſiſts of Execution renewed from time to time and continued to the firſt of June I^m and vij^c^ years And yet notwithſtanding. that the Petitioners their ſaid ſuſpenſion was and is yet depending before the Exchequer the ſaid party returned and quartered upon them and poinded them in January I^m and vij^c^ for pretended deficient money in a moſt illegal manner In ſo far as Primo they quartered upon the ſaid Burgh with ten ſouldiers footmen for the ſaid Six hundred pound whereas there is but ſix men allowed for one thouſand pound as is clear from the Act of Parliament I^m vj^c^ and eighty one and the ſubſequent Acts of Parliament abovementioned Secundo they Exacted deficient money at the rate of ſix ſhilling for ilk footman and at the rate of twenty ſhilling for ilk dragoun from the ſaid Burgh altho by Law there is no more allowed but four ſhilling for ilk foot ſouldier and ten ſhilling for ilk dragoun as is clear by the Acts of Parliament above rehearſed, And this the ſaid party Exacted for the ſpace of two moneths after intimation of the firſt ſiſt of Execution viz. the moneths of December I^m vj^c^ and ninety nine and January I^m and vij^c^ years and poinded merchant ware bed cloaths houſehold furniture and other goods from the ſaid Burgh to the ruine of many of the poor Inhabitants and Carried away the ſaid goods and diſpoſed of them without ſo much as appriſeing them in a legal manner And when the Burgh proteſted againſt this illegal procedure eſpecially that their ſuſpenſion was depending before the Exchequer The party anſwered in a maſterfull manner that they would anſwer for what they did So thus contrary to expreſs standing laws the Petitioners are barbarouſly trampled upon and their goods violently ſeized and maſterfully taken away from them in contempt of the laws of the land And therefore humbly Craveing His Grace and the honourable Eſtates of Parliament to take the Petitioners Caſe to their ſerious Conſideration eſpecially that notwithſtanding ſo many expreſs ſtanding laws made for their ſecurity and the ſecurity of the Leidges they were illegally quartered upon and theſe orders as illegally execute and their goods violently taken away and to ordain the ſaid late General Receivers who gave the ſaid illegal orders to repair all the Petitioners their ſaid damnages and to puniſh the party for their illegal execution accord-

ing to their demerite, and to diſcharge them to quarter on the Petitioners for the ſaid old Ceſs which is long ago preſcribed and otherwayes to cenſure and puniſh the ſaid perſons as the Parliament ſhall think fit to the terror of others to commit the like in time comeing And likewayes to Declare that the Petitioners are not holden to produce diſcharges of any Ceſs after three years conform to the Acts of Parliament unleſs diligence be done by denunciation within that time and in the mean time to grant Warrand to Cite as the ſaid Petition bears Which being this day Conſidered by His Majeſties high Commiſsioner and the Eſtates of Parliament They have Remitted and hereby Remit the matter therein repreſented to be cognoſced and determined by the Lords of his Majeſties Privy Council as they ſhall find juſt.

[Anent diſsolving from the Crown the minerals of Neidpath]

DRAUGHT of an Act Diſsolving from the Croun the mines and minerals lying within the Lands and Lordſhip of Neidpath belonging to William Earl of March read for the firſt time.

[Isles of Orknay and Zetland]

DRAUGHT of an Act for diſsolveing the Iſles of Orkney and Zetland from the Croun to the effect allennarly that the ſame may be ſet in long tacks by publict roup for the better improvement of his Majeſties revenues there, read.

[Earl of Mortoun against the Officers of State]

MOVED that there be a day appointed for hearing the cauſe at the inſtance of the Earl of Mortoun againſt the Officers of State and Saturday next appointed for hearing thereof.

[Lords of Seſsion to determine anent the Pole 1698]

OVERTURE for an Act impowering the Lords of Seſsion with a parliamentary power to determine in all differences betwixt the old and new Tackſmen of the Pole I^{m} vj^{c} and ninety three and to apply the ſums reſting thereof to the Officers of the Army haveing right thereto, read.

MOVED that the ſaid matter be remitted to the Commiſsion of Parliament formerly named for that purpoſe and that the vacancies thereof be ſupplied which was agried to; and that to morrow morning the Eſtates of Parliament Choiſe certain of their number to Supply the vacancies.

THE Committies appointed to meet to morrow at nine a clock in the morning

THE Lord Chancellor by order of his Majeſties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

JANUARY XXXI, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

[Acts touched with the Scepter]

THE Acts following viz. Act for preventing wrongous impriſonments, and againſt undue delayes in tryals, Act reſcinding the Act of Parliament I^{m} vj^{c} and ſixty three anent the ordering and diſpoſal of forreign trade, Act Diſchargeing the importing and wearing of forreign wool manufactures, Act diſchargeing the Export of wool, Act in favors of Sir Patrick and James Ogilvies anent their marble, Act Diſchargeing the importation of wine brandie and all other liquors of the grouth of France, Act againſt profanneſs, Act prohibiteing the importing of ſilk ſtuffs and others, Act in favors of the African and Indian Company, Act Diſchargeing the quoats of teſtaments, Act for twelve moneths Ceſs upon the Land rent, and Act for proveing the tenor in favors of Sir David Home of Croſsrig &c. were all touched by his Majeſties high Commiſsioner with the Scepter in the uſual manner; Of which ſeveral Acts the tenors do follow.

ACT for preventing wrongous Impriſonments and againſt undue delayes in Tryals

OUR SOVERAIGN LORD Conſidering it is 6
the intereſt of all his good Subjects that the liberty of their perſons be duely secured; And that it is declared by the claim of right that the impriſonment of perſons without expreſsing the reaſons thereof and delaying to put them to tryal is contrare to Law Therefore His Majeſtie with advice and conſent of the Estates of Parliament Statutes Enacts and Ordains that all Informers shall ſigne their Informations and that no perſon ſhall hereafter be impriſoned for cuſtody in order to tryal for any crime or offence without a warrand in writ expreſsing the particular cauſe for which he is impriſoned and of which warrand the meſsenger or executor thereof before impriſonment or the keeper of the priſon receiveing the ſame is hereby ordained to give a juſt double immediatly under his hand to the priſoner himſelfe for the end after ſpecified Declareing that all warrands for impriſonment on the account forſaid either proceeding upon informations not ſubſcribed or not expreſsing the particular cauſe ſhall be void and null and the Judge or Officiar of the Law and all others whatſomever ſubſcribeing the ſame and the Executor or keeper of the priſon who ſhall receive and detain the perſon ſo wrongouſly ordered to be impriſoned or refuſeing a double as ſaid is ſhall be

lyable in the puniſhment of wrongous impriſonment hereafter expreſt. And to the effect that persons who are or ſhall be impriſoned for cuſtody in order to tryal may not be wrongouſly delayed and detained His Majeſtie with advice and conſent forſaid Statutes & Ordains that all Crimes not inferring capital puniſhment ſhall be bailable: And for clearing and eſtabliſhing the method of finding baill in ſuch caſes either before or after impriſonment His Majeſtie with advice and conſent forſaid Statutes and Ordains that it ſhall be lawfull to the priſoner or perſon ordered to be impriſoned to apply to the Committer or Commiſsioners of Juſticiary or other Judge competent for Cognition of the Crime and offer to find ſufficient Caution that he the ſaid priſoner or perſon ordered to be impriſoned ſhall appear and anſwer to any lybell that ſhall be offered againſt him for the crime or offence wherewith he is charged at any time within the ſpace of Six moneths; and that under ſuch a penalty as the ſaid Committer or the Lords of Juſticiary or other Judge competent ſhall modifie and appoint. And that upon the ſaid application the ſaid Committer or Lords of Juſticiary or other Judge competent ſhall firſt cognoſce whither the Crime be capital or not in order to the finding baill allennarly; And if found bailable then he or they ſhall be oblidged to modifie the ſum for which the baill is to be found within twenty four hours after the said petition is preſented to him or them reſpectively The ſum for which the baill is to be found not exceeding Six thouſand merks for a nobleman three thouſand merks for a landed Gentleman one thouſand merks for any other Gentleman and Burgeſs and three Hundred merks for any other inferior perſon under the pain of wrongous Impriſonment And upon the parties finding ſufficient baill under the penalty modified at the ſight of the ſaid Judge or Judicatory reſpective and delivering or offering the ſame to the Clerk and Inſtruments taken upon the delivery or offer of ſufficient Caution the ſaid Committer or Judicatory competent ſhall order his liberation or diſcharge his impriſonment if not incarcerat under the penalty of wrongous impriſonment: As likewayes that ſufficient baill under the penalty modified being offered to the Judge or Magiſtrat to whom the Execution of the warrand is directed the ſaid Judge or Magiſtrat ſhall be oblidged and is hereby appointed and ordained to accept of the forſaid baill and set the priſoner at liberty under the like penalty of wrongous impriſonment And His Majeſtie with advice and conſent forſaid farder Statutes and Ordains that upon application of any priſoner for Cuſtody in order to tryal whither for capital or bailable Crimes to any of the Lords of Juſticiary or other Judge or Judicatory competent for judgeing the crime or offence for which he is impriſoned and the ſaid priſoner his produceing the ſaid double of the warrand of his impriſonment under the Keepers hand the ſaid Judge or Judicatory competent under the pain of wrongous impriſonment are hereby Ordained within twenty four hours after the ſaid application and petition is preſented to him or them to give out letters or precepts direct to meſsengers for intimating to his Majeſties Advocat or Procurator fiſcall and party appearing by the warrand to be concerned if any be within the Kingdom to fix a dyet for the tryal within ſixty dayes after the intimation Certifieing his Majeſties Advocat or Procurator fiſcall and the ſaid party concerned that if they failzie the priſoner ſhall be diſcharged and ſet at liberty without delay For doing whereof the ſaid Judge or Judicatory competent are hereby expreſsly warranted and ſtrictly required and ordained to do the ſame under the penalty forſaid unleſs the delay be upon the priſoners petition or deſire And the dyet of the tryal being prefixed the Magiſtrats of the place or Keeper of the priſon ſhall then be oblidged to deliver the priſoner to a ſufficient guard to be provided by the Judge, his Majeſties Advocat or Procurator fiſcal that the priſoner may be ſiſted before the Judge competent, And his Majeſties Advocat or Procurator fiſcal ſhall inſiſt in the lybell and the Judge put the ſame to a tryal and the ſame ſhall be determined by a final ſentence within fourty dayes if before the Lords of Juſticiary and thirty dayes if before any other Judge And if his Majeſties Advocat or Procurator fiſcal do not inſiſt in the tryal at the day appointed and proſecute the ſame to the concluſion as aforſaid, His Majeſtie with advice forſaid Statutes and Ordains that the dyet ſhall then be ſimpliciter deſerted and the priſoner immediately liberat from his impriſonment for that crime or offence And if no proceſs be raiſed and execute within the time allowed or in caſe of not inſiſting at the dyet and bringing the proceſs to a concluſion within the forſaid ſpace it ſhall be lawfull to the priſoner to apply to the Juſtice General Juſtice Clerk or any of the Lords of Juſticiary or Judge competent reſpective And upon his application and inſtructing that the limited time by law for inſiſting or concludeing the proceſs is elapſed and Inſtruments taken thereupon, the ſaid Juſtice General Juſtice Clerk Lords of Juſticiary and Judge competent ſhall be oblidged within twenty four hours to iſsue out Letters or precepts direct to Meſsengers for chargeing the Magiſtrats or keepers of the priſon where the priſoner is detained for ſetting him at liberty under the penalty of wrongous impriſonment in caſe of delay or refuſal to grant the ſaid letters or precepts or to ſet him at liberty after the Charge, without prejudice to the keeper of the priſon as to his dues in all caſes of liberation as formerly before the makeing of this Act And the priſoner being liberat in manner forſaid it ſhall not be lawfull to put or detain him in priſon for the ſame Crime under the penalty of wrongous

impriſonment in caſe his former liberation be made known to the Committer before the Warrand be granted or in caſe he be detained after his former impriſonment is ſufficiently inſtructed to the keeper of the priſon who upon production of the former warrand of his liberation from his impriſonment for the ſame Crime ſhall be oblidged to ſet the priſoner furthwith at liberty unleſs there be new criminal letters raiſed before the Commiſsioners of Juſticiary and duely execute againſt the ſaid priſoner In which caſe it is hereby Declared lawfull to impriſon him of new tho the ſaid Letters be raiſed for the ſame Crime for which he was formerly incarcerat And it ſhall be lawfull to apprehend and ſecure him at the time of Executing the ſaids Letters or at any time thereafter before tryal and to detain him till his tryal or that he be ſet at liberty in due courſe of law And his Majeſtie with advice and conſent forſaid Ordains his Majeſties Advocat to inſiſt in the ſaid lybell and proſecute the ſame to a final ſentence within fourty dayes after the ſaid priſoner is of new incarcerat thereupon unleſs the delay be upon the application or at the deſire of the Priſoner; Wherein if the Kings Advocat failzie the dyet is to be deſerted ſimpliciter and the priſoner ordained to be ſet at liberty from the ſaid impriſonment; And the proceſs not being duely proſecute as aforſaid and the dyet thereupon deſerted, His Majeſtie with advice and consent forſaid Declares the party impriſoned a ſecond time as aforeſaid to be for ever free from all queſtion or proceſs for the forſaid crime or offence Provideing allwayes that in caſe of impriſonment for treaſon the priſoner ſhall not have acceſs to apply for prefixing of a dyet for proceſs for fourty dayes after his impriſonment which are hereby allowed for prepareing of the proceſs After elapſeing of which time the Lords of his Majeſties Privy Council or Lords of Juſticiary or any one of them are hereby required upon the application of the priſoner to iſue furth precepts as in other caſes And in caſe of not inſiſting or proſecuteing the proceſs as aforeſaid the priſoner ſhall be liberat upon ſufficient baill to Compear at any time when called within twelve moneths for his good and peaceable behaviour in the mean time the ſaid baill not exceeding the double of the baill in other crimes Declareing that the liberation provided by this preſent Act is only to be underſtood from impriſonments for the cauſes forſaid and without prejudice of all perſonal diligence or impriſonments for payment of debts or upon ſentence or for any other cauſes than theſe above expreſt in the ſame way and manner as was competent before the makeing hereof; And sicklike it is hereby provided and declared that this preſent Act is no wayes to be extended to Coalliers or Salters and the ſame is without prejudice or derogation from former Laws requiring baill to be given by Chiftains Landlords or others in the Highlands; Reſerveing likewayes Committments Impriſonments and the proſecution of thefts robberies and depredations in the borders and highlands according to the former laws and cuſtomes any thing in this Act notwithſtanding Without prejudice alſo to inferior Magiſtrats Judges or Juſtices of the Peace and Conſtables to take ſecurity of perſons for their good behaviour and keeping of the peace as they have been in uſe formerly to do or to impriſone in order to tryal for indignities done to the ſaids inferior Magiſtrats Judges or Juſtices of Peace or to impriſone parties diſobedient and contumacious to Church cenſures vagabonds and maſterfull beggars or to impriſon for ryots bloods and batteries or perſons found acting in tumults or for drunkenneſs ſabbath breaking and ſwearing uncleanneſs pickeries and thieveing For which caſes or any of them it ſhall be lawfull to proceed as formerly, the perſon impriſoned haveing allwayes his relief by offering baill and demanding a tryall as above. As alſo provideing that in the caſe of imminent or actual invaſion rebellion or inſurrection Commitments may proceed by order of the Privy Council or any five of their number upon ſuſpicion of acceſsion thereto without being lyable to any penalty for the ſaid Commitment the perſon impriſoned haveing allwayes his relief for tryal or liberation as aforeſaid And his Majeſtie with conſent forſaid Statutes and Ordains that the pain of wrongous impriſonment ſhall be Six thouſand pound for a Nobleman four thouſand pound for a landed Gentleman two thouſand pound for every other Gentleman and Burgeſs and four hundred pound for other perſons; And if any priſoner be detained after elapſing of the reſpective dayes in manner above preſcribed for obtaining his liberty, the Judges Magiſtrats or others wrongouſly detaining ſhall be lyable in the pains following viz. of ane hundred pound for each day for a Nobleman ſixty ſix pound thirteen ſhilling four pennies for a landed Gentleman, thirty three pound ſix ſhilling eight pennies for other Gentlemen and Burgeſses Six pound thirteen ſhilling four pennies for other perſons And farder ſhall looſe their offices and be incapable of publict truſt by and attour the pains above ſpecified and the penalty to belong to the party impriſoned and proceſs to be competent for the ſame before the Lords of his Majeſties Privy Council or before the Lords of Council and Seſsion to be diſcuſsed by them ſummarly without abideing the courſe of the roll: And it is hereby Declared that the above penalties ſhall not be modified by any power or authority whatſomever And his Majeſtie with advice and conſent forſaid Extends this Act for preventing of wrongous impriſonment to the caſe of all confinements not either conſented to by the party or inflicted after tryal by ſentence And farder Diſcharges all cloſs impriſonments beyond the ſpace of Eight dayes from the commitment under the pains of wrongous

impriſonment above ſet down As alſo that no perſon be tranſported furth of this Kingdom except with his own Conſent given before a Judge or by legal ſentence Certifieing Judges and Magiſtrats and all others who ſhall give order otherwayes for the ſaid tranſportation as likewayes all such who ſhall tranſport any perſon without a lawfull Warrand from a Judge or Magiſtrat that he ſhall be lyable to the foreſaid pains of wrongous impriſonment as alſo of being deprived and declared incapable of all public truſt And his Majeſtie with advice and conſent foreſaid Enacts and Declares that action and proceſs for wrongous impriſonment ſhall preſcribe if not purſued within three years after the laſt day of the wrongous impriſonment And proceſs being once raiſed the ſame ſhall preſcribe if not inſiſted in yearly thereafter And it is hereby Statute and Ordained by advice and conſent foreſaid that no member of Parliament attending ſhall be impriſoned or confined upon any account whatſomever dureing a Seſsion of Parliament without a warrand of Parliament Reſerveing to the high Conſtable and Mariſchall their priviledges and jurisdictions in the time of Parliament as formerly; And alſo provideing that if any member ſhall happen to commit a capital crime or if there be a manifeſt hazard of the peace any Magiſtrat may attatch for ſecureing of the perſon or the peace and deliver the perſon to the cuſtody of the High Conſtable in order to the Parliaments cognition the next Sederunt.

ACT Reſcinding the Act of Parliament 1663 aſserting the Kings prerogative in the ordering of Trade

7 OUR SOVERAIGN LORD The Kings Majeſtie Considering that the twenty ſeventh Act of the Parliament I^m^ vj^c^ and ſixty three Intituled Act aſserting his Majesties prerogative in the ordering and diſpoſal of Trade with forreigners, is one of the grievances repreſented by the Eſtates of the Kingdom as prejudicial to the trade of this Nation doth therefore with advice and conſent of the Eſtates of Parliament Reſcind the ſaid Act in the haill heads tenor and clauſes thereof and Declares the ſame to be void and null in all time comeing Reſerveing allwayes to his Majeſtie all his cuſtomes and impoſitions as now eſtabliſhed and ſpecially the ſaid cuſtomes and impoſitions as the ſame are ſettled by the book of rates by warrand of the fiftie ſeventh Act of the first Seſsion of the firſt Parliament of King Charles the Second Intituled Act Diſchargeing the Cuſtom of two and a half of the hundred and the impoſt of four pounds on the tun and the rules orders and directions for the advancement of trade mentioned in the ſaid book of rates. As alſo Reſerveing to his Majeſtie the impoſitions granted by the thirty fourth Act of the fifth Seſsion of this current Parliament Intituled an Act for additional Impoſition upon forreign Commodities imported.

ACT Diſchargeing the importing and wearing of Forreign Woollen Manufacture

OUR SOVERAIGN LORD with advice and 8
conſent of the Eſtates of Parliament doth ſtrictly prohibite and forbid the importation of all cloaths or ſtuffs of any kind made of wool or wherein there ſhall be any wool as alſo of hats caps ſtockings gloves or any other kind of manufactored wool or wherein any wool ſhall be found from and after the date of this Act excepting flannell allennarly And ordains that all prohibited goods imported contrary to this Act ſhall be seized and brought before ſome of the next adjacent Magiſtrats and the Magiſtrats ſhall immediatly Cognoſce if the goods be forbidden And if they be he ſhall within two dayes time call two of the next Commiſsioners of Supply or Juſtices of Peace who are hereby required to concurr with him And they ſhall cauſe carry the ſaids goods to the mercat Croſs betwixt ten & twelve in the forenoon, and there and then they ſhall burn and deſtroy all the ſaids goods haveing firſt inventared them and given a declaration on the ſaid inventar bearing that they were ſeized and cognoſced and thereafter brunt and deſtroyed And if either the ſaid seizer or Magiſtrat to whom the ſaid seized goods are brought ſhall failzie they ſhall be lyable to the ſame pain as importers: Which declaration expreſsing both quantity and value atteſted by the Magiſtrat and two of the Commiſsioners of Supply or Juſtices of Peace shall be a full ground and title to the seizer for acquireing all his proportions of the fines and penalties from the perſons lyable according to the tenor of this Act. And it is hereby Statute and Declared that all Importers Reſetters Collectors or Farmorers of the cuſtomes ſurveyers or waiters who ſhall aſsiſt concurr or connive at the importing of the ſaid prohibited manufacture and Carriers who ſhall import the ſame by land and Maſters of ſhips who ſhall import the ſame by ſea and all who buy or ſell or wear or uſe the ſame in apparell houſehold furniture or otherwayes and the Taylor or others imployed in makeing apparell or houſehold furniture that they ſhall be fined ſeparately without relief as follows viz. The Importer Reſetter Collector or Farmorers of the Cuſtomes Carrier Maſter of the ſhip the buyer or ſeller (in way of merchandize and not for proper uſe) surveyers or waiters tranſgreſsing in the value of the prohibited goods imported or five hundred merks at the option of the perſons aftermentioned to whom the fine is to belong viz. Two parts to the diſcoverer & purſuer and a third part to the fiſcal of the Court before

whom the matter is cognoſced And if any Maſter of a ſhip ſhall tranſgreſs by importing in his ſhip any of the ſaid forbidden goods then the pain ſhall be Confiſcation of the ſhip the one half to the diſcoverer and the other half to his Majeſtie and that the ſhip be immediatly ſold by roup for makeing the ſaid diviſion effectual Reſerveing relief to the Owner againſt the Maſter thereof And if any of the ſeamen import in any ſhip any of the ſaid prohibited goods he ſhall be lyable to ſix moneths impriſonment and Eſcheat of moveables to the Maſter for his relief And the Carriers horſe and furniture to be immediatly ſeized and belong to the ſeizer and himſelfe to be impriſoned untill he declare the owner or imployer upon oath and the wearer or uſer or taylor or others imployed in makeing up the ſaid apparell or furniture to be fined in the ſum of five hundred merks each ſeperately and all theſe penalties by and attour burning of the goods And for the greater encouragement of ſuch as ſhall make the foreſaid Seizures It is hereby farder Statute that in caſe any perſon ſhall make the ſaid Seizure of goods and ſhall make faith that he is not able to diſcover the owner of the goods ſeized then and in that caſe he ſhall have the reward of one hundred pounds Scots or proportionally under if the goods be not of that value to be payed to him by the next Collector of his Majeſties Cuſtomes under the pain of the double Which ſum of reward ſhall be allowed to him in his accounts and this additional reward to endure till the next Seſsion of Parliament and no longer As alſo his Majeſtie with advice and conſent foreſaid doth Prohibite and Diſcharge the ſelling or buying of any ſuch forreign manufactures whatſomever or the wearing of what ſhall be imported under the ſaid certifications and pains ordained againſt the importers the wearers knowledge of its being forreign manufacture to be proven by their oath of verity; And if it conſiſt not with their knowledge they ſhall be oblidged to informe from whom they did buy or receive the ſame whither by barter donation or otherwayes to the effect the ſame may be traced upwards until it be found out whither it was imported or manufactured within the Kingdom And if any Magiſtrat aforeſaid ſhall be informed of any ſuch imported goods and ſhall be required to aſsiſt the Seizer thereof he ſhall without delay give concurrence and make all diligent search for the ſame and make open doors if need beis: And the Judge or Magiſtrat who refuſes or delayes to do ſo or who ſhall not judge and execute the Laws againſt the delinquents and contraveeners of this Act he or they ſhall be lyable for the foreſaid penalties and action ſhall be given to the informer and purſuer againſt him before any Judge competent ſummarly; And if it be purſued before the Lords of Seſsion it is to be diſcuſsed without abideing the order of the roll But in reſpect that there are ſeveral woollen forreign goods imported before the [twenty third] day of June One thouſand ſix hundred and ninety nine years and before his Majeſties Proclamation of that date prohibiting the ſame It is hereby Enacted and Ordained that all forreign wool manufacture imported before the ſaid day ſhall be brought before the firſt day of April next to a common hall within every reſpective Burgh within the Kingdom to be appointed for that effect by the Magiſtrats of the ſaids Burghs Certifieing the Magiſtrats of the ſaids Burghs who ſhall neglect to provide ſuch common halls that they ſhall be lyable in one thouſand merks of fine for the ſaid neglect Which Magiſtrats ſhall appoint one or more overſeers in the ſaid halls to receive and record the foreſaids goods Which goods ſo brought in are there to remain untill they be ſold out by the owner in retail only and what is ſold to be recorded likewayes by the ſaid overſeer And for defraying the pains and expences of the ſaid overſeers and hall maill they are to have Six pennies per pound for all goods ſold out of the ſaid hall And the overſeers are hereby ordained to find Caution for their faithfull adminiſtration: And His Majeſtie with conſent forſaid doth allow all Cloaths already made albeit of forreign Manufacture or any Cloaths that ſhall be made of what ſhall be bought out of the ſaid common halls to be worn by the owners but prejudice to all perſons to challenge the wearers of any ſuch forreign Manufactures: Nevertheleſs it is declared that this ſhall not extend to furniture belonging to any Scotsman for their own uſe bought before the date of this Act nor to any wearing cloaths bought and uſed by any perſon at any time when they reſide abroad And it is hereby Enacted and Declared that whatever ſhall remain of the forſaid manufactured goods imported to the common hall in manner forſaid unſold on the firſt day of December I^{m} vij^{c} and two that the ſame ſhall be Exported out of the Kingdom within three moneths thereafter and teſtificates of the exportation reported to the overſeers of the reſpective halls to be recorded there for the ballanceing of the whole accounts of what was at first put in; As likewayes a teſtificat that they are carried to ſome other forreign port within twelve moneths after the date of the exportation Which Certificat is hereby likewayes ordained to be recorded under Certification that whatever woollen manufacture ſhall be found within the Kingdom after the ſaid day shall be holden and repute as brought in after the time above mentioned and be lyable to the pains and penalties foreſaid accordingly. And it is hereby Ordained that the overſeers in the reſpective halls ſhall report an account of all the ſaid manufactored goods brought in to their halls to the next Sheriff Clerk or Toun Clerk to be recorded by them gratis and that within ſixty dayes next after the ſaid day appointed for inbringing thereof

under the pain of five hundred merks to be payed by the overſeer in caſe he fail to report and the like ſum to be payed by the Clerk in caſe he fail to record the ſame And farder the Sheriff or his Depute or Magiſtrats within Burgh or any two Juſtices of the Peace are hereby warranded to call for the ſaids records in the ſeverall halls at any time after elapſeing of the time allowed for vending thereof and to ballance what was brought in with what is ſold out for diſcovering the exactneſs of keeping the ſaids accounts and to purſue the faillers by their ſeveral Procurator fiſcals as accords And whatever Merchant or other againſt whom it ſhall be proven that they have imported any woollen manufacture whatſoever contrare to this Act albeit the goods be not found or ſeized yet if it be proven by his oath or otherwayes as accords of the Law before any Judge competent the perſon ſo guilty ſhall be lyable in one thouſand merks of fine toties quoties to be applyed to the purſuer and fiſcal in manner forſaid And laſtly it is provided That all the ſaid prohibited goods imported ſince the ſaid [twenty third] day of June I^{m} vj^{c} and ninety nine ſhall fall under the prohibitions and certifications contained in the Proclamatione then Emitted and Acts of Parliament whereupon it proceeds.

ACT Diſchargeing the Exportation of Wool

9 OUR SOVERAIGN LORD Considering the great hurt and prejudice ariſeing to this Kingdom and manufactures thereof by the Exportation of wool and of ſkins with wool upon them; Therefor His Majeſtie with advice and conſent of the Eſtates of Parliament doth not only Ratifie and Revive all former Acts of Parliament made againſt exportation of wool or ſkins with wool upon them in ſo far as they ſtrengthen this preſent Act and without derogation thereto in any ſort but alſo of new again do hereby ſtrictly prohibite and diſcharge all and every perſon whatſoever native or ſtranger to Export out of this Kingdom any wool whatſomever or ſkins with wool upon them or any woolſted or woollen yearn or any ſort of forreign wool or ſkins with wool upon them Certifieing ſuch as ſhall contraveen this preſent Act the wool or ſkins ſhall be confiſcat and two third parts thereof applyed to the diſcoverer and the other third part to the procurator fiſcal of the Court where the Confiſcation is purſued and the Exporter fined in the ſum of one thouſand merks toties quoties to be payed and applyed in manner forſaid And if any heretable or other Sheriff Juſtice of Peace or Magiſtrats of Burgh or officer or ſouldier in the army be concerned in any ſuch export or aid aſsist or connive thereat they ſhall be lyable to the ſaids penalties beſides the loſs of their ſeverall offices and their being incapable to be imployed in any ſuch office and imployment thereafter. And for preventing any abuſes that may be committed by maſters of ſhips barks and boats collectors ſurveyers and waiters It is hereby Statute and Ordained that in caſe any wool ſkins with wool upon them woolsted or woollen yearn ſhall be found aboard any ſhips barks or boats going abroad to any place beyond ſeas the ſhip ſhall ipſo facto be Confiſcat and the maſter fined in the like ſum of one thouſand merks in manner forſaid And if any of the ſeamen export in any ſhip wool, ſkins with wool upon them, woolsted or woollen yarn he ſhall be lyable in Six moneths impriſonment and Eſcheat of moveables to the maſter for his relief; And in caſe any perſon or perſons ſhall happen to come aboard the ſaid ſhips in harbour or roads the maſter and mariners are hereby ſtrictly required to allow and concur in ſearching Certifieing them that if either they refuse to allow the ſaid ſearch, or offer to ſet ſail to diſappoint the ſame they ſhall ipſo facto incurr the pains and penalties forſaid without neceſsity of any further probation; And all farmers of the Cuſtomes collectors ſurveyers and waiters who ſhall connive at any wool ſkins with wool upon them woolſted or woollen yarn put aboard any ſhip for Exportation ſhall be fined in the ſum of twelve hundred pounds and ſhall loſe his office for ever: And in caſe any wool ſkins with wool upon them woolſted or woollen yarn ſhall happen to be tranſported by ſea from one place of this Kingdom to another the farmers of the Cuſtomes Collectors of his Majeſties Cuſtomes or their deputes are hereby ordained before they give ſufferances to take the owner or his factor or truſtee with a ſufficient Cautioner bound to return Certificats from the Collector at the ports where the ſame is to be unloaded ſigned by the Collector and Sheriff or Magiſtrat of the place upon unloading thereof that the ſame is unloaded and delivered at the port conform to the ſufferance, And in caſe the ſame be tranſported from that port that the like Caution be found and Certificats produced and ſo furth from port to port within the Kingdom whither wool ſkins with wool upon them woolſted or woollen yarn ſhall happen to be tranſported the ſame being allwayes to be narrowly and truely weighed at every port of unloading; And which Certificats are to be returned within two moneths wind and weather ſerveing under the penalty of five hundred merks by and attour the value of the wool ſkins woolſted or yarn for which no Certificats ſhall be returned in manner forſaid and all maſters or ſeamen belonging to ferry boats open boats or fiſh boats are ſtrictly prohibited and diſcharged to carry any wool ſkins with wool upon them or any woolſted or woollen yearn aboard any ſhip or bark without a ſufferance in manner forſaid Certifieing ſuch that the boats ſhall be confiſcat and the perſons fined and impriſoned for the

ſpace of ſix moneths abovementioned And in caſe any wool ſkins with wool upon them woolſted or woolleh yarn ſhall be found packed in any ſort of caſks chiſts or boxes whither aſhore or aboard of any ſhip the ſame may be ſeized and confiſcat and applyed in manner forſaid and the merchant, packer or couper ſhall be lyable to and incurr the penalties forſaid and the Collectors and their deputes are hereby diſcharged to give ſufferances for wool ſkins with wool upon them woolſted or woollen yarn ſo packed under the pains and penalties above mentioned And in caſe there be found in any ſeaport Toun or Village or within three miles thereof great quantities of wool more than can be reaſonably expected the ſaid Seaport Toun or Village can conſume that any of his Majeſties Leidges may have liberty to enquire into and examine the ſame and if the havers thereof cannot give a reaſonable account that the ſame may be conſumed in the ſaid Seaport Toun or Village the owner ſhall be lyable to weigh the ſame and find Caution that they ſhall not export it And farther in caſe it ſhall be found or proven that any maſters of ſhips barks or boats or aiders or abbettors whatſomever ſhall Export any wool ſkins with wool upon them woolſted or woollen yarn contrare to this preſent Act they ſhall be lyable to the pains and penalties abovementioned in the ſame form and manner as if the wool ſkins woolſted or yarn had been ſeized aboard their ſhips before Exportation: And all Sheriffs, Baillies of Regalities, Stewartries, Baronies, Magiſtrats of Burghs and Juſtices of Peace are hereby declared to be Judges competent to actions founded on this Law Certifieing any Judge who ſhall refuſe or delay to adminiſtrat Juſtice therein or ſhall diſpenſe with the pains and penalties forſaid that he ſhall be lyable as if he himſelf were delinquent in the caſe purſued And it is hereby farder Declared that action is competent at the inſtance of any of his Majeſties Subjects againſt the Contraveeners of this preſent Act and any perſon whatſomever is hereby allowed to make ſeizure of any wool ſkins with wool upon them woolſted or woollen yarn put aboard any ſhips barks or boats for Exportation furth of this Kingdom two parts to belong to the perſon who ſeizes the ſame and the other part to the ſaids Procurators Fiſcal It is alſo hereby Declared that the tranſporting of wool in boats over rivers, firths, or from the iſles of this Kingdom to the main land where no ſufferances uſes to be given to be ſold in publict mercats is nowayes prohibite by this preſent Act nor is the wool lyable to be ſeized tho there be no ſufferance therewith which in the caſe above written allennarly is diſpenſed with: And in caſe any concerned in woollen manufactures ſhall Contraveen any part of this Act any manner of way they ſhall not only amit and loſe their ſhare and ſtock in the manufacture in which they are concerned to be applyed to the diſcoverer but alſo ſhall be fined in the ſum of ſix thouſand pounds to be applyed by two part and third in manner forſaid And it is hereby Declared that this preſent Act prohibiteing the Export of wool and others abovementioned ſhall only continue and ſtand in force the ſpace of five years and until the next Seſsion of Parliament thereafter incluſive And his Majeſtie with conſent forſaid prohibites the importation of Engliſh and Iriſh wool till the firſt of January one thouſand ſeven hundred and two under the penalties forſaid And farder it is hereby provided that notwithſtanding of the general prohibition of the Export of wool abovementioned the ſaid prohibition as to the Export of the ſaid Engliſh and Iriſh wool ſhall only endure to the next Seſsion of Parliament incluſive.

ACT in favors of Sir Patrick Ogilvie of Boyne and James Ogilvie his son anent their Marble

OUR SOVERAIGN LORD considering that 10
Sir Patrick Ogilvie of Boyne and James Ogilvie his ſon have been at great pains and expences in building of an harbour at Portſoey in Boyne for the conveniency of Trade and the great benefite of a ſafe port upon that Coaſt As alſo that near to the ſaid harbour they have a rock of marble within their ground which may not only be ſerviceable to the Country but afford a profiteable ſubject of Export Does therefor with advice and conſent of the Eſtates of Parliament for the due encouragement of the ſaid Sir Patrick and his ſon Prohibite and Diſcharge the Exacting of any duty of Custome for any Marble that ſhall be winn within their Land and ſhall be Exported either by themſelves or by any others who are already or hereafter ſhall be in contract with them As likewayes the Tunnadge of all ſhips that ſhall Export the ſame effeiring to the burden and quantity of the marble therein Exported Declareing the ſaid marble free of the ſaid duties and impoſt for the ſpace of nineteen years after the date hereof.

ACT Dischargeing Wine Brandie and all other Liquors of the grouth of France

OUR SOVEREIGN LORD with advice and 11
conſent of the Eſtates of Parliament ſtrictly Prohibites and Diſcharges the Importation of all French wines Brandie and other ſtrong waters and vinegar made in France from any place whatſomever; the brandie ſtrong waters and vinegar from and after the firſt day of May next and all other wine from and after the firſt day of October next to come Certifieing all ſuch who ſhall Contraveen this preſent Law that the wines imported contrare thereto ſhall be ſeized ſtaved and deſtroyed and the ſhip wherein the ſaid wine is imported

ſhall be confiſcat the one half to the diſcoverer and the other half to the Kings Majeſtie and the ſhip immediatly ſold by roup that the diſcoverer may receive the half of the price for his reward and the other half thereof may be payed to his Majeſties Caſh keeper for his Majeſties uſe: And farder that the Merchant importer be lyable in the ſum of one thouſand merks and the ſkipper in the ſum of five hundred merks Scots the two parts of both the ſaid fines to the diſcoverer and the other third to the fiſcal of the Court where the ſaid merchant is convict with relief to the other owners of the ſaid ſhip not acceſsory to importing of the ſaid wines of all his or their damnages as accords from the merchant importer and ſkipper of the ſaid ſhip by and attour the penalties to be applyed as ſaid is And it is hereby provided that this prohibition ſhall continue ay and while the ſame liberties and immunities be granted to herrings and all other goods exported from this Kingdom into France and the ſame freedom and immunities granted to Scots ſhips ſailing thither that any other Nation enjoy in that Kingdom And farder His Majeſtie with advice and conſent forſaid ſtrictly Prohibites and Diſcharges the importation of all brandie and other ſtrong waters from any other place whatſomever and alſo all beer-ager vine-ager and ale-ager after the firſt day of May next to come under the penalties forſaid againſt the ſhip merchants importers and ſkippers and with relief to the owners as ſaid is And likewayes His Majeſtie with conſent forſaid ſtrictly Prohibites and Diſcharges all general Collectors or farmers of His Majeſties Cuſtomes to receive Entries of the ſaid prohibited liquors or to connive at the importing of any part of them under the penalty of Six thouſand pound Scots all Sub-collectors Surveyers or Clerks under the penalty of three thouſand pound Scots all waiters under the penalty of five hundred merks Scots toties quoties And that all perſons whatſomever who ſhall happen to ſeize the ſaid prohibited goods ſhall carry them to or call for the neareſt Magiſtrat Judge or Juſtice of Peace to the effect that the ſaid prohibited wines or others when ſeized may be ſtaved and deſtroyed in preſence of the ſaid Magiſtrat and one of the Juſtices of Peace of the ſhire where the ſame is ſeized: And all Judges as well of the Admiral Court as Sheriffs Lords of Regalities Stewartries Bailliaries and their Deputes Juſtices of Peace and Magiſtrats of Burghs are hereby required to concurr in ſeizing and deſtroying any of the ſaid prohibited goods and to Judge and Decern againſt all perſons lyable in fines as ſaid is under the penalty of five hundred merks in caſe of refuſal toties quoties to be applyed as above And to the effect that under the colour of red wine from Saint Sebaſtian or any other port or place in the bay of Biſcay, French wine may not be imported It is hereby farder provided that before any ſhip ſuppoſed to come from any port or place within the bay of Biſcay ſhall be allowed to unload the Merchant importer with the maſter of the ſhip and all the ſeamen ſhall firſt give their oaths before the Judge ordinar of the port and two of the next Juſtices of Peace that the ſhip came from the port mentioned in her documents and that they do not know or believe the wine imported in the ſaid ſhip to be French wine either in haill or in part or hath any mixture thereof And this to be obſerved by the ſaid Merchant importer maſter of the ſhip and ſeamen and alſo by the Collectors of the Cuſtomes ſurveyors and waiters under the pain of being repute and puniſhed as importers of French wine And it is hereby farder Statute that no red wine to be imported from any port or part betwixt the Coaſt of France and the Groyne excluſive after the firſt of October next to come ſhall be ſold by retail for a greater price than fourteen ſhilling the pint under the pain of five hundred merks to be payed by the ſeller toties quoties to be divided in manner forſaid And laſtly his Majeſtie with conſent forſaid ſtrictly Prohibites and Diſcharges the buying or ſelling by retaill or otherwayes any of the ſaid prohibited liquors after the firſt day of February one thouſand ſeven hundreth and two under the penalty of five hundred merks to be payed by the buyer as well as the ſeller toties quoties by and attour Confiſcation of the liquors ſold as ſaid is which liquors are to be ſtaved and deſtroyed in manner above ſet down.

ACT againſt Profaneneſs

OUR SOVERAIGN LORD for the better and more effectual repreſsing of profaneneſs and immorality with advice and conſent of the Eſtates of Parliament Ratifies Renews and Revives all former Laws and Acts of Parliament made againſt drunkenneſs ſabbath breaking swearing fornication adultery and all manner of uncleanneſs mocking and reproaching religion and the exerciſe thereof and generally all other Laws made againſt profaneneſs And particularly without prejudice of the ſaid generality Ratifies and Revives the Act of the ninth Parliament, Queen Mary Cap. 74. Intituled Act anent adultery As alſo the Act of the ſeventh Parliament James the Sixth, Cap. 105, Intituled The Explanation of the Act touching nottour and manifeſt adultery And ordains the ſame to be put to ſtrict and vigorous Execution in all points; As alſo Ratifies and Approves the Acts following viz. The Act of Parliament I^(m) vj^(c) and ſeventy two entituled Act againſt Profaneneſs whereby all members of his Majeſties Privy Council or Lords of Seſsion with all Judges ordinary haveing their reſidence or keeping Courts in any paroch are ordained to Execute or cauſe Execute the ſaid Laws againſt ſuch delinquents therein as ſhall be delated 12

to them by the Kirk ſeſsions or other Church Judicatories with power to the Kirk ſeſsion and heretors to name a Collector of the fines; As alſo where none of the foreſaid perſons in authority reſide to nominat a perſon reſident within the paroch whom they ſhall offer to the Judge ordinary of the bounds to the end he may grant them a deputation to the effect forſaid; As likewayes to modifie and appoint ſuch fees to the ſaid Collectors out of the ſaid fines as they ſhall find juſt and that the remainder of the ſaid fines be applyed for the uſe of the poor in manner ſpecified in the ſaid Act The Act of Parliament I^m vj^c^ and ninety three alſo intituled Act againſt profaneneſs whereby every Preſbitry within this Kingdom is Impowered and Ordained to appoint one or more within their reſpective bounds to take notice of all vices and immoralities and to delate and proſecute the perſons guilty conform to the tenor of former Acts and allowing to them out of the fines not only their whole Expences but ſuch rewards as the Lords of Privy Council ſhall think fit The Act I^m^ vj^c^ and ninety five likewayes intituled Againſt Profaneneſs whereby all the Judges ordinary and their deputes and all Juſtices of Peace within whoſe bounds any of the ſaid offences ſhall happen are authorized and enjoyned to put the ſaid Acts againſt Profaneneſs to exact and punctual execution at all times without neceſsity of any diſpenſation and againſt all perſons whither officers ſouldiers or others without exception with Certification that any of the ſaid Judges that ſhall refuſe or neglect to put the ſaid Laws in execution upon the application of any Miniſter Kirk ſeſsion or any perſon in their name informing and offering ſufficient probation he ſhall be lyable and ſubject toties quoties to a fine of one hundred pounds Scots for the poor of the paroch where the ſcandall happened: Declareing that the agent for the Kirk, the Miniſter or Kirk ſeſsion of the paroch, or any haveing their warrand ſhall have good intereſt to purſue before the Lords of Seſsion any of the ſaids Judges refuſeing or neglecting as ſaid is And that the ſaid refuſeal or neglect ſhall be ſufficiently proven by an Inſtrument under a nottars hand and witneſses ſubscribing and deponing that the ſaid information was given and probation offered as the ſaid Act more fully bears And laſtly the Act I^m^ vj^c^ and ninety ſix alſo intituled Act againſt Profaneneſs in the haill heads articles and clauſes thereof All which Laws and Acts of Parliament generally and particularly above narrated His Majeſtie with advice and conſent forſaid Ordains to be put to ſtrict and punctual Execution in all points; And farder all Miniſters and Kirk ſeſsions and heretors concerned are hereby required and ordained to do and act their parts faithfully in the premiſses as they will be anſwerable And in caſe any perſon ſhall be Excommunicat for not anſwering or for not obeying and ſatiſfieing the Church when proceſsed before them for profaneneſs and immorality or in caſe that any perſon cited on the account forſaid ſhall be declared by the Church to be contumacious Then and in either of theſe caſes His Majeſtie with advice and conſent forſaid Statutes and Ordains that upon application made by a Preſbitery, provincial Synod, or General Aſsembly to His Majeſties Privy Council repreſenting the ſame the Lords of Privy Council ſhall repreſent the ſaid matter to his Majeſtie that he may be duely informed anent the forſaid perſon found guilty or contumacious as ſaid is as a perſon not fit to be imployed or continued in any place of public truſt civil or military.

ACT prohibiteing the Importing of Silk Stuffs and others

OUR SOVERAIGN LORD with advice and 13
conſent of the Eſtates of Parliament doeth ſtrictly Prohibite and Forbid the Importation of all ſtuffs of any kind made of ſilk or hair and the Importation of Calligoes or other Stuffs of any kind made of cottoun or wherein there is any cottoun hair or ſilk; as alſo of capes ſtockings gloves buttons of all ſorts or any other kind of manufactured cottoun hair or ſilk or wherein any cottoun hair or ſilk ſhall be found and all manner of white threed laces and points of any kind and that from and after the promulgation of this Act excepting muſline and all plain black ſilk ſtuffs and velvets for womens hoods and ſkarfs only; as alſo velvets and other ſilk ſtuffs for ſtates and chairs of ſtate as likewayes for pales mort cloaths, foot mantles and the robes of ſuch publict officers who are in uſe to wear velvets upon them; excepting likewayes from this Act all ſuch Indian or Perſian goods as ſhall be loaded in Perſia and the Indies and thence imported by the Company of Scotland tradeing to Africa and the Indies in ſhips comeing directly from theſe parts conform to the priviledge granted to them by the eight Act of the fifth Seſsion of this current Parliament the ſame being allwayes ascertained by the oaths of the ſuper-cargo and maſter and ſeamen of the ſaid ſhips deponeing before livering in preſence of a Judge that the ſaid Indian and Perſian goods are truly ſuch and loaded and imported by the Company as ſaid is. And Ordains that all prohibited Goods imported contrare to this Act ſhall be ſeized and brought before ſome of the next adjacent Magiſtrats and the Magiſtrats ſhall immediately cognoſce if the goods be forbidden and if they be he ſhall within two dayes time call two of the next Commiſsioners of Supply or Juſtices of Peace who are hereby required to concurr with him and they ſhall carry the ſaid goods to the mercat Croſs betwixt ten and twelve in the forenoone and there and then they ſhall burn and deſtroy all the ſaids goods haveing firſt inventared them and

given a declaration on the ſaid Inventar bearing that they were ſeized and cognoſced and thereafter burnt and deſtroyed And if either the ſaid Seizer or Magiſtrat to whom the ſaid ſeized goods are brought ſhall failzie they ſhall be lyable to the ſame pains as importers Which Declaration expreſsing both quantity and value atteſted by the Magiſtrat and two of the Commiſsioners of Supply or Juſtices of Peace ſhall be a full ground and title to the ſeizer or others underwritten for acquireing all his proportions of the fines and penalties from the perſons lyable according to the tenor of this Act And it is hereby Statute and Declared that all Importers Reſetters Collectors or Farmorers of the Cuſtomes Surveyers or Waiters who ſhall Aſsiſt Concur or Connive at the Importing of the ſaid prohibited Manufacture and Carriers who ſhall import the ſame by land and maſters of ſhips who ſhall import the ſame by ſea and all who buy or ſell or wear or uſe the ſame in apparel houſehold furniture or otherwayes and the Taylors and others imployed in makeing apparel or houſehold furniture of the ſame that they ſhall be fined each of them without relief as follows viz. The Importer Reſetter, Collector or Farmorers of the Cuſtomes Carrier Maſter of the ſhip the buyer or ſeller (in way of merchandize and not for proper uſe) Surveyers or Waiters tranſgreſsing in the value of the prohibited Goods imported or five hundred merks at the option of the perſons aftermentioned to whom the fine is to belong viz. Two parts to the diſcoverer and purſuer and a third to the Fiſcal of the Court before whom the matter is Cognoſced; And if any Maſter of a ſhip ſhall tranſgreſs by importing in his ſhip any of the ſaid forbidden goods then the pain ſhall be Confiſcation of the ſhip the one half to the diſcoverer and the other half to his Majeſtie and that the ſhip be immediatly ſold by roup for makeing the ſaid diviſion effectual reſerveing relief to the owners againſt the maſter thereof And if any of the ſeamen import in any ſhip any of the ſaid prohibited goods he ſhall be lyable to ſix moneths impriſonment and Eſcheat of moveables to the maſter for his relief; And the Carriers horſe and furniture to be immediatly ſeized and belong to the ſeizers and himſelfe to be impriſoned until he declare the owner or imployer upon oath and the wearer or uſer or taylor or others imployed in makeing up of the ſaid apparel or furniture to be fined in the ſum of five hundred merks each and all theſe penalties by and attour burning of the goods. And for the greater encouragement of ſuch as ſhall make the forſaid ſeizure It is hereby farder Statute that in caſe any perſon ſhall make the ſaid ſeizure of goods and ſhall make faith that he is not able to diſcover the owner of the goods ſeized then and in that caſe he ſhall have the reward of one hundred pounds or proportionally under if the goods be not of that value to be payed to him by the next Collector of his Majeſties Cuſtomes under the pain of the double Which ſum or reward ſhall be allowed to the Collector in his accounts and this additional reward to endure till the next Seſsion of Parliament and no longer And if any Magiſtrat aforſaid ſhall be informed of any ſuch imported goods and ſhall be required to aſsiſt to the ſeizing thereof he ſhall without delay give concurrence and make all diligent ſearch for the ſame and make open doors if needs beis And farder the Magiſtrat who refuſes or delayes to do ſo or who ſhall not Judge and Execute the Laws againſt the delinquents and contraveeners of this Act he or they ſhall be lyable for the forſaid penalty, and action ſhall be given to the informer and purſuer againſt him before any Judge competent ſummarly And if it be purſued before the Lords of Seſsion it is to be diſcuſt without abideing the courſe of the roll And in regaird there are or may be ſome of the ſeveral kinds of the ſaid prohibited goods in the merchants hands not yet vended Therefor His Majeſtie with conſent forſaid Statutes and Ordains that all Merchants who have any goods (prohibited by this Law) in their ſhops or warehouſes ſhall betwixt and the firſt day of May next Inventar all the ſaid goods and quantities thereof in their own books and extend an double of the ſaid Inventar The which prohibited Goods being ſo inventared they ſhall within eight dayes thereafter apply themſelves to the Keeper of the halls of the Forreign Cloath in whoſe hands a ſeal is to be lodged by the Magiſtrats of the Burgh where the ſaids goods are for ſealing all the ſaids prohibited goods Which ſeals are to have a Thiſtle on the one ſide and the name of the Toun where the ſaid ſeal is keeped on the other ſide And the ſaids Merchants are hereby ordained to require the ſaid Keeper to come to their ſhops and warehouſes to compare the ſaid Inventars with the goods in their poſſeſsion Which being found juſt to require him to ſeal the ſaid goods; After the doing whereof to deliver to the ſaid keeper the double of the ſaid Inventar; Which double and the Inventar contained in the Merchants books is to be ſubſcribed by the Merchant himſelf and appender of the ſeal: And in caſe the keeper of the ſaid ſeal refuſe to append the ſame he being required thereto under the form of Inſtrument he ſhall be fined in the ſum of one hundred pounds beſides the loſs of his office and the Magiſtrats are hereby ordained to name another in his place. And farder it is Statute and Ordained that the ſaid Goods ſhall be ſealed betwixt and the firſt day of June next by the ſaid hall keeper and immediatly thereafter the ſaid ſeals are to be broken at the ſight of the Magiſtrat of the place where the ſaid ſeals are keept which Magiſtrats are hereby oblidged to take ſufficient ſecurity for the Keepers faithfull adminiſtrating his office And for which ſealing the ſealer ſhall have one ſhilling Scots as his reward for ilk peice to which he ſhall append the ſaid ſeal And farder It is hereby Statute and Ordained that the ſaid

Merchants ſhall give an account of their retail of the ſaid Inventared goods quarterly to the ſaid keeper of the halls bearing the names of the perſons to whom they were ſold to be recorded thereby to make known when all contained in the Inventars are ſold out and the Merchant failzieing to give in the ſaid quarterly accounts ſhall be lyable in one hundred pounds toties quoties And whatever of the ſaid goods ſhall be found either in Edinburgh or elſe where not ſo ſealed ſhall be repute as wrongouſly imported and burnt as herein appointed and the Counterfitting of the ſaid ſeal is hereby diſcharged under the pain of forgery Declareing allwayes that this Act ſhall not Extend to Cloaths or furniture belonging to any Subject of this Kingdom bought for their own uſe before the date of this Act nor to any wearing Cloaths or horſe furniture to be bought and uſed by any perſon at any time reſideing abroad nor ſhall it extend to any Coach Chariot or Chair lined with any ſort of the ſaid goods prohibite that may be brought into this Kingdom: And whatever Merchant or others againſt whom it ſhall be proven that they have imported any ſilk or other manufacture whatſomever contrare to this Act albeit the goods be not found or ſeized yet if it be proven by oath or writ before any Judge competent the perſon ſo guilty ſhall be lyable in one thouſand merks of fine toties quoties to be applyed to the purſuer and fiſcal in manner forſaid Excepting nevertheleſs from this Act all manner of ſilk hair or cottoun manufacture made or to be made within this Kingdom with all the neceſsar materials for makeing thereof allennarly: As alſo excepting the ſelling buying and wearing ſuch of all the ſaids prohibited Goods as are already imported before the date of this Act.

ACT in favors of the African and Indian Company

14 OUR SOVEREIGN LORD for the farder Incourageing the Company of this his ancient Kingdom tradeing to Africa and the Indies with advice and conſent of the Eſtates of Parliament Statutes and Ordains that all the temporary privileges and immunities granted to the ſaid Company by the eight Act fifth Seſsion of this Parliament ſhall be continued to the Company for the ſpace of nine years longer after expireing of the reſpective times allowed to them by the ſaid Act and Ratifies the forſaid Act and Letters patent in the haill heads clauſes articles and priviledges therein contained.

ACT Dischargeing the Quots of Testaments

OUR SOVEREIGN LORD considering that 15
by the twenty eight Act of the firſt Parliament of King Charles the Second Quoats of Teſtaments are diſcharged to be Exacted from any of His Majeſties Leidges by Commiſsars or their Clerks and Fiscals or any others but prejudice of the ordinary fies due to the ſaid Commiſsars their Clerks and Fiscalls as accords Which Act was only taken away by the reſtoreing of Epiſcopacy which is now aboliſhed Doth therefor with advice and conſent of the Eſtates of Parliament Revive and Ratifie the ſaid twenty eight Act of the firſt Parliament of King Charles the Second And Diſcharges all Quoats of Teſtaments fallen due ſince the Act of Parliament I^mo vj^c^ and eighty nine aboliſhing Prelacy to be exacted from any of His Majeſties Leidges either by Commiſsars or their clerks and Fiſcals. And farder Declares any bonds or securities given for the ſaid Quoats to be void And Ordains the ſame to be given up to the granters thereof But prejudice to his Majeſtie to cauſe call the ſaids Commiſsars their clerks and Fiſcalls to an account for any ſums of the ſaids Quoats hereby diſcharged received by them before the makeing of this Act.

ACT for a Supply of Twelve Moneths Ceſs upon the Land Rent.

THE ESTATES of Parliament considering that 16
a ſtanding army cannot be keept up in time of peace without conſent of Parliament And that they have reſolved that Three thouſand men be keept up for the ſafety and ſecurity of the Kingdom, Do therefor Conſent to the keeping up and continueing of the ſaid number of three thouſand men of the forces upon the preſent Eſtabliſhment for the ſpace of two years from and after the firſt day of December laſt to the firſt of December one thouſand ſeven hundred and two And humbly and cheerfully for themſelves and in name of this Kingdom whom they do repreſent make offer to his Majeſtie of a ſupply of Eight hundred ſixty four thouſand pounds Scots extending to Six moneths Ceſs yearly for each of the ſaid two years for the end forſaid Which new ſupply is to be raiſed and uplifted out of the Land Ceſs of this Kingdom in manner and conform to the proportions of the ſhires and Burghs contained in the firſt Act of the ſixth Seſsion of this current Parliament dated the twenty fifth day of September One thouſand ſix hundred and ninety ſix and to be payed at the terms following viz. Two moneths Ceſs the firſt of March next, and two moneths Ceſs the firſt of June and two moneths Ceſs the

firſt of November thereafter, and two moneths Ceſs at the term of Whitſunday one thouſand ſeven hundred and two, and two moneths Ceſs at Lammaſs and two moneths makeing up the twelve moneths Ceſs at the term of Martinmaſs thereafter; And his Majeſty Conſidering that this Supply is granted for ſuch a neceſsary uſe doth with advice and conſent of the Eſtates of Parliament Declare that no perſon or perſons ſhall be Exempted from payment of their proportions of this ſupply for their Lands upon any pretence whatſomever excepting mortified Lands and the Lands of Newmilnes belonging to the woollen manufactory there, for which mortified Lands and Lands of Newmilns deduction is to be allowed in the quota of the reſpective ſhires notwithſtanding of any former Law Priviledge or Act of Parliament in the contrare And His Majeſtie with advice and conſent forſaid doth nominat and appoint the ſame perſons who are named in the sixth Act ſecond Seſsion and in the ſeventh Act fifth Seſsion and in the forſaid firſt Act Seſsion ſixth and in the forſaid firſt Act Seſsion ſeventh of this current Parliament who are alive and have qualified themſelves according to Law or ſhall qualifie themſelves betwixt and the third Tueſday of February next to come and ſuch others as ſhall be nominat in this preſent Seſsion of Parliament to be Commiſsioners for ordering and uplifting the ſupply with the ſame power to Choiſe their own Clerk and to do every thing that may concern the ſaid ſupply as is preſcribed and appointed by the ſaid Act holding the ſame as here repeated And Ordains the ſame Execution to paſs for inbringing hereof as is provided by the ſaid Act in all points And ordains the firſt meeting of the ſaid Commiſsioners of the said ſhires to be at the reſpective head burghs thereof the third Tueſday of February next to come And requires the Sheriffs Stewarts or their Deputes to intimat the ſame to the Commiſsioners of the reſpective ſhires and ſtewartries with power to them to appoint the ſubſequent dyets of meeting and their Conveeners from time to time As alſo to appoint Collectors with ſufficient Caution as they ſhall think fit; And Commits to His Majeſties Privy Council upon the death or not acceptance of any of the Commiſsioners of Supply appointed by this Act to nominat & appoint others in their places And His Majeſtie with advice and conſent forſaid doth Declare that all Clauſes contained in the former Acts of Parliament and Convention of Eſtates in relation to the inbringing of Ceſs & quartering and anent rideing money do ſtand in full force as to this ſupply now impoſed in the ſame manner as if they were herein inſert except in ſo far as theſe Acts of Parliament or Convention are Innovat or Altered by the forſd sixth ſeventh and firſt Acts of the ſecond fifth and ſixth Seſsions and firſt Act of the ſeventh Seſsion of this current Parliament And it is hereby Declared that no perſons lyable in payment of the ſaid ſupply ſhall be holden to produce their diſcharges or recepts of the ſame after three years from the reſpective terms of payment unleſs diligence be done therefor by denunciation before elapſeing of the ſaid three years And becauſe by the ſupply hereby granted the Land Rents and Burghs of this Kingdom are only burdened And it being juſt that perſonal Eſtates in money ſhould bear ſome proportion of the burden Therefor His Majeſtie with advice and conſent forſaid Statutes and Ordains that every Debitor owing money within the Kingdom at six per Cent of intereſt ſhall in the payment of his annualrent the ſaid two years have retention in his own hands of a twelvth part of six per Cent and this two years retention to be from Martinmaſs laſt bypaſt to the term of Martinmaſs one thouſand ſeven hundred and two And it is hereby Declared that it ſhall be uſury for any Creditor to refuſe to grant the ſaid retention And it is farder Statute and Ordained that no part of the forſaid Ceſs be applyed to any other uſe than the payment of the army now conſented to by Parliament upon any pretence whatſomever.

ACT for proveing the tenor of ſome writs in favors of Sir David Home of Croſsrig

OUR SOVEREIGN LORD with advice and 17
conſent of the Eſtates of Parliament Considering that upon ane Petition given in by Sir David Home of Croſsrig one of the Senators of the Colledge of Juſtice to His Majeſties High Commiſsioner and the Eſtates of Parliament Mentioning that it was not unknown to His Grace and that high and honourable Court how that on the third of February laſt there broke out in the meal mercat of this City a moſt dreadfull Conflagration to the deſtruction in a few hours of the moſt beautifull fabricks thereof The ſaid Sir David haveing his lodgeing immediatly above Mr John Buchan's houſe where the fire began and where it had made ſuch progreſs before he knew thereof that the firſt thing he ſaw after his advertiſement was the flames comeing out at Mr John Buchan's windows so that he had scarce time to eſcape with the lives of his familie many of them being in bed Whereby he hath ſuſtained a great loſs not only of his furniture and liberary but in the deſtruction of his own papers and other papers of his friends and relations whereof he had the Cuſtody And seeing there are ſtill extant ſome Inventars of papers then deſtroyed and that the ſaid Sir David and his authors have been in the immemorial and uninterrupted poſſeſsion of the Lands of Croſsrig and that he produces a Diſpoſition granted ſince the fire by Robert Home ſometime of Croſsrig now deceaſed makeing mention of a former diſpoſition made by him to the ſaid Sir David as the

reſult of an ſubmiſsion And seeing the original Writs were all lately ſeen and conſidered at an Conſultation conform to an Inventary and Information produced And that in paralell caſes that honourable Court hath been in uſe to find out expedients for ſupplieing writs ſpoiled or deſtroyed by fire or otherwayes particularly ſince the Revolution in the Caſe of Sir Thomas Burnet Doctor of Medecine who had ſeveral of his writs burnt by the fire which began in his own houſe and of Sir James Stuart his Majeſties Advocat and others And therefor Craveing that His Majeſtie and the honourable Court of Parliament would be pleaſed to commit this afair to ſome of their number to take tryal of the matters of fact repreſented and others to be repreſented to the Committie and to grant Diligence, and upon their report to give ſuch remedie as his Majeſtie and that honourable Court ſhould think fit as the ſamen Petition more fully proports Ane Commiſsion was accordingly given to the perſons therein mentioned being one of each ſtate viz. The Viſcount of Tarbat Sir John Lauder of Fountainhall Knight and Mr David Dalrymple Advocat three of their number And that the ſaids Commiſsioners haveing given in and returned their report of their proceedings and judgement concerning the premiſses Bearing that they haveing diverſe times met and conveened by vertue of the ſaid remit and haveing Examined ſundry famous Witneſses concerning the Inventars aftermentioned and Writs therein contained and other Writs aftermentioned And haveing likewayes conſidered the Inventars themſelves and haveing compared ſeveral Writs extant relative to the Writs loſt in the late fire and mentioned in the ſaid Inventars with the ſurpriſeing loſs and occaſion of burning the ſaid Writs They are of opinion that the Cauſa amiſsionis or manner how the ſaid Writs were loſt is ſufficiently proven in ſo far as it is nottour and proven by the teſtimonies of the Witneſses that upon the third of February laſt there broke out a fire in the lodgeing immediatly under the Lord Croſsrigs lodgeing in the meal mercat of Edinburgh while part of his familie were in bed and his Lordſhip going to bed and that the allarum was ſo ſudden that he was forced to retire in his night cloaths with his children half naked and that when people were ſent in to his cloſet to help out with his Cabinet & papers the smoak was ſo thick that they only got out a ſmall Cabinet with great difficulty But albeit his papers were lying on the floor or hung about the walls of his cloſet in pocks yet they durſt not ſtay to gather them up or take them tho they were deſired to do it So that that Cabinet and Alexander Chriſtie his ſervants lettron which ſtood near the door of the lodgeing with ſome few other things was all that was got ſaved and the reſt even to his Lordſhips wearing cloths were burnt As to the Writs awanting they are of opinion that there are ſeveral pregnant general preſumptions and evidences as to the moſt material parts of the Writs for evinceing that ſuch Writs did exiſt and were of the ordinary tenor of ſuch Writs and ſeveral evidences which relate to particulars The general preſumptions are theſe Primo a Tract of acts of property and poſſeſsion by the ſaid Lord Croſsrig and his authors for upwards of fourty years as regiſtrat wadſets, backtacks, tacks to tennents, decreets in proceſses betwixt the proprietars wadſetters and tennents and diſcharges of few duties Secundo It appears the principal rights in the Lord Croſsrigs perſon were a wadſet granted by his authors the Homes of Croſsrig in favors of Sir John Home of Blackadder convoyed by progreſs to the Lord Croſsrig with a diſcharge of the reverſion of the ſaid wadſet by Robert Home of Croſsrig And sicklike an Apprifeing at the inſtance of Mr Robert Home Miniſter at Craufordjohn alſo convoyed by progreſs to the ſaid Lord Croſsrig And farder his Lordſhip being Creditor to Robert Home deſigned of Croſsrig in ſeveral ſums of money contained in bonds granted by the ſaid Robert and David Home his father and convoyed to the ſaid Lord Croſsrig And there haveing ariſen ſome queſtion betwixt the ſaid Lord Croſsrig and the ſaid Robert Home whereon mutual proceſses did enſue the whole matter was ſettled by ſubmiſsion and decreet arbitral pronunced by the deceaſt Mr John Frank and Mr Thomas Skeen Advocats arbiters and the Lord Merſingtoun overſman whereby the ſaid Robert was Decerned to Diſpone of new and Ratifie his Lordſhips rights All which is clearly adminiculat by a diſpoſition granted by the ſaid Robert Home deſigned of Croſsrig now deceaſed dated the twelvth of February laſt recently after the fire narrating the premiſses and that he had granted a former diſpoſition in implement of the decreet arbitral of the like tenor And which is farder adminiculat by the teſtimony of Alexander Chriſtie one of the Witneſses adduced and Writer of and Witneſs to the firſt diſpoſition who depones upon the tenor of the firſt diſpoſition and Exhibit the ſcroll of the ſamen as it was amended and which is marked by the ſaid Committie As alſo by the teſtimony of Sir John Home of Blackadder who depones that he and the ſaid Alexander were Witneſses to the firſt diſpoſition and that the ſaid Alexander was the Writer of it and he the ſaid Sir John ſaw it ſubſcribed and heard it read Which Adminicles by writ and Witneſses as they conceive are ſufficient to make up the tenor of the materiall Writs wanting Tertio there are seven Inventars produced which contain the whole Writs to be made up except two or three which are otherwayes pregnantly aſtructed Of theſe Inventars five are written by the Lord Croſsrigs own hand and were taken from the papers then extant in his own hands long before the fire And for

clearing that the Inventars were writ long before the fire It is proven by concurring teſtimonies that upon the allarum of the fire the ſaid Lord Croſsrigs Cabinet was carried out of his houſe from one lodgeing to another as the fire purſued and threatned untill at laſt it was lodged in the houſe of William Hamilton of Wiſhaw at the head of the Weſt-bow and that it was put in the ſaid Wiſhaw's own cloſet and that the ſaid Lord Croſsrig went from his own lodgeing to Young Walliford's, where he continued until the Wedneſday after the fire and then he went up to Wiſhaw's lodgeing where his Cabinet was brought out and Wiſhaw Declared that it had not been ſeen by any body since it was put in And then the ſaid Lord Croſsrig did open the Cabinet in preſence of Wiſhaw, young Walliford Mr Charles Binning Advocat his brother the ſaid Alexander Chriſtie and James Marſhall nottar publict And there is a note ſubjoyned to every one of the ſaid Inventars ſubſcribed by the ſaid Witneſses bearing that the Inventars were taken out of the Cabinet which is atteſted by James Marſhall nottar publict and Deponed by the ſaid James and three other of the Witneſses Which Inventars written by the ſaid Lord Croſsrig's hand who is a perſon of unqueſtioned probity and reputation They do conceive are very pregnant Adminicles for makeing up ſuch of the Writs contained in the Inventars as are awanting The ſixth Inventar marked by David Denholm and William Innes Writers in Edinburgh containing the progreſs of the moſt material Writs is clearly adminiculat Firſt by the forſaids five Inventars mentioning the moſt of theſe Writs Secondly by the concurring teſtimonies of the ſaids David Denholme William Innes and Alexander Chriſtie whereby it is evident that the Lord Croſsrig haveing entered into a Communeing with Alexander Trotter in Preſs for the ſale of the Lands of Croſsrig the ſaid Alexander Chriſtie did deliver the Writs contained in the ſaid ſixth Inventar written by the ſaid Alexander Chriſties own hand to David Denholme agent to the ſaid Alexander Trotter who carried them to Mr Thomas Skeen to conſult the progreſs and that Mr Thomas did draw an Information upon the ſaid progreſs which is likewayes produced written by William Innes the ſaid Mr Thomas his ſervants hand After which the Writs were delivered again by the ſaid David Denholme to the ſaid Alexander Chriſtie and by him returned to my Lords cloſet before the fire So that theſe Inventars give mutual light and teſtimony to one another and both clear the Exiſtence and general tenor of the Writs awanting The ſeventh Inventar is of the Writs given out in proceſs by the Lord Croſsrig againſt Robert Home deſigned of Croſsrig which is adſtructed by the teſtimonies of Alexander Chriſtie who wrote the Inventar and took it from the Writs themſelves and gave it out to Mr John Frank's man ſigned by Mr Thomas Skeen and by the teſtimony of the ſaid William Innes who produces a note of the proceſs taken relateing to the whole Inventar And depones that the proceſs was given out to Mr John Frank and by a regiſtrat Inhibition on the forſaid proceſs which narrats the whole debts contained in the Inventar Laſtly the Writs contained in the forſaids Inventars and which are awanting are ſtrongly adminiculat Firſt by the Books of Regiſters which they have ſeen & compared and wherein they find ſuch of the Writs as are mentioned in the ſaid Inventars to be regiſtrat are Recorded and agrie with the Inventar as to the tenor and dates except where the Regiſters are not compleat The Decreet Arbitral is ſpecially adminiculat Firſt by the Diſpoſition of Robert Home of Croſsrig narrating the tenor of it Secondly by the teſtimony of Alexander Chriſtie who was Clerk to the ſubmiſsion and wrote the Decreet Arbitral who produces for clearing his cauſam ſcientiæ the forſaid ſcroll of the firſt diſpoſition mentioning likewayes the tenor of the Decreet Arbitral ſubſcribed before the fire with an note of the account relative to the Minuts of the ſubmiſsion Thirdly by the oaths of David Denholme and William Innes and Inventars marked and exhibit by them wherein the ſaid Submiſsion and Decreet are expreſsly contained Fourthly by the diſcharge of the reverſion abovementioned granted by the ſaid Robert Home to the ſaid Lord Croſsrig before the fire and regiſtrat in the General Regiſter of Reverſions &c. Item as to the backband granted by Wedderburn younger to the ſaid Robert Home relative to an diſpoſition made by him in the ſaid Wedderburn's favors It is the opinion of the Committie that the tenor of the ſame is ſufficiently proven and that thereby Wedderburn did acknowledge that albeit the diſpoſition granted by Robert Home of Croſsrig to him was abſolute yet he oblidged himſelf to denude in favors of the heirs of the ſaid Robert's body when exiſting and required Reſerveing the ſaid diſpoſition for ſecurity of the Expenſes wared out by him in the ſaid Robert Home's affair and that George Rentoun was writer of the diſpoſition and Halyburton and he witneſses And that by the teſtimonies and depoſitions of the ſaid George Home of Wedderburn and of the writer and witneſses therein And laſtly as to the bond granted by James Home of Greenlawdean to the ſaid Sir David for the ſum of Thirty thouſand merks and dated the twenty day of December I^{m} vj^{c} and ſeventy five years They are of opinion that the ſame is ſufficiently adminiculat Firſt by a diſpoſition granted by the ſaid James Home of Greenlawdean to the ſaid Sir David narrating the date and tenor of the ſaid bond and Secondly by an decreet of adjudication following upon the ſaid bond likewayes narrating the date and tenor thereof And ſeeing it is nottour that the ſaid Sir David Home is a perſon of eminent and unqueſtionable

integrity so that it cannot be doubted but that the whole writs contained in the ſaid Inventars were extant when he made and writ the Inventars thereof with his own hand Therefore and for ſupplieing the want thereof It is their opinion that there be an Act of Parliament made wherein the ſaids Inventars ſhould be verbatim inſert and which ſhould be of the tenor after mentioned of this preſent Act And His Majeſtie and Eſtates of Parliament haveing taken to their conſideration the ſaid report and grounds thereof Therefor His Majeſtie with the advice and conſent of the ſaid Eſtates of Parliament has Allowed and Approven and by thir preſents Allow and Approve the report forſaid And for ſupplieing the want of the ſaid Lord Croſsrig's Writs and Evidents burnt and loſt upon the occaſion forſaid His Majeſtie with advice & conſent forſaid has Declared Statute and Ordained and be thir preſents of certain knowledge upon and for the Cauſes and Conſiderations forſaid after mature deliberation Declares Statuts and Ordains the forſaids Inventars (whereof the tenor follows and are hereafter verbatim inſert) or an Extract of this preſent Act to be as valid effectuall and ſufficient authentick and forcible and to make as great faith in judgement and outwith the ſamen in time comeing in ſo far as the words of the ſaid Inventars proports for Intenting of purſutes Founding of Exceptions and other alleadgeances thereupon Inſtructing of ſervices ſatisfieing of productions in reductions and improbations and in all other actions and to all other effects ends and purpoſes as if the principal Evidents were extant of the dates tenor and contents mentioned in the ſaids Inventars And which haill writs are to be underſtood and preſumed to be of the uſual ſtile and tenor of ſuch writs and to contain all the clauſes uſed and wont to be inſert by the uſual conception of ſuch writs. Auguſt 13. 1684, INVENTAR of the debts payed by Sir John Home of Blackadder for Croſsrig with the within written writs. 1, Bond Home of Croſsrig and his Cautioners to Kathrine Wilſon and her ſon for the ſum of one thouſand merks of principal dated the tenth of November, 1627, ärent from the date ten in the Hundreth. 2, Aſsignation of the ſaid bond by Patrick Ruchhead and his mother to Mr Allan Lundie and of all the bygone ärents dated the twenty fifth of June I^m^ vj^c^ and thirty four. 3, Bond Robert Hume of Croſsrig to William Ker portioner in Huttoun for five hundred merks dated the twenty ninth of May I^m^ vj^c^ thirty three regiſtrat in the books of Council 24 June 1636, ärent from the date at ten per Cent. 4, Aſsignation of the ſaid bond ärents be the ſaid William to Mr Allan Lundie tenth of November I^m^ vj^c^ and thirty five. 5, Band John Home of Croſsrig to Mr Allan Lundie for one Hundred merks thirty firſt December I^m^ vj^c^ and thirty four ärent from Whitſunday I^m^ vj^c^ and thirty five. 6, Bond Elizabeth and John Homes to Mr Allan Lundie for two hundred eighty three pound twenty firſt of May I^m^ vj^c^ and thirty four ärent at Whitſunday I^m^ vj^c^ and thirty five at ten per Cent. 7, Aſsignation of the ſaid haill bonds and aſsignations and certain other debts Mr Allan Lundie to Sir John Home of Blackadder firſt of March I^m^ vj^c^ and thirty nine. 8, Band Elizabeth and John Homes to John Lundie for one hundred & four pounds ten ſhilling the twenty ſeventh day of I^m^ vj^c^ and thirty four ärent at Whitſunday thirty five at ten per Cent. 9, Aſsignation of the ſaid bond to Blackadder firſt of March I^m^ vj^c^ and thirty nine. 10, Bond Robert Home of Croſsrig and his Cautioner to Archbald Fiſh for 600 merks 29 May 1618 with a note of recept on the back of it and an aſsignation to Sir John Home of Blackadder twenty ninth of March I^m^ vj^c^ and fourty one without ärent. 11, Band John Home of Croſsrig to the ſaid Archbald Fiſh for one hundred and twenty pounds firſt December I^m^ vj^c^ and thirty six with an note of recept on the back of it to Blackadder and an aſsignation twenty ninth of March I^m^ vj^c^ and fourty one ärent from the Eighteenth May I^m^ vj^c^ thirty ſeven. 12, Tranſumpt of a bond Robert Home of Croſsrig to Mr Alexander Kinneir parſon of Whitſom againſt John Home of Croſsrig bond dated twenty fourth of December I^m^ vj^c^ and twenty four Tranſumed twenty sixth of March I^m^ vj^c^ and fourty with an note of recept on the back of it and aſsignation to Blackadder twenty firſt of December I^m^ vj^c^ and fourty without ärent. 13, Bond John Home of Croſsrig to John Home his natural brother for five hundred sixty two merks eleventh November I^m^ vj^c^ and thirty nine with a note of recept and aſsignation thereof to Blackadder on the back of it tenth Auguſt I^m^ vj^c^ and fourty ärent from the date. 14, Bond Elizabeth and John Homes to George Thomſon in Dunce for one hundred and eighteen pounds thirteen ſhilling fifeteenth July I^m^ vj^c^ and thirty five ärent from Martinmaſs I^m^ vj^c^ and thirty five at eight per Cent. 15, Aſsignation thereof and two years ärent to Blackadder thirtieth April I^m^ vj^c^ and thirty eight. 16, Bond Elizabeth and John Homes to Mr John Home Provoſt of Dunglaſs for two hundred and twenty pounds eight May I^m^ vj^c^ and thirty four with a note of recept and aſsignation on the back to Blackadder ſeventeenth June I^m^ vj^c^ and fourty ärent from Whitſunday I^m^ vj^c^ and thirty four at ten per Cent. 17, Another bond the ſaid parties to the ſaid Mr John for two hundred merks tenth March I^m^ vj^c^ and thirty ſix with a note of recept and aſsignation on the back to Blackadder twelvth January I^m^ vj^c^ and fourty one ärent from Whitſunday I^m^ vj^c^ and thirty six at Eight per Cent. 18, Diſcharge of few duties to Whitſunday I^m^ vj^c^ thirty eight Laird of Wedderburn to Blackadder being the ſum of Sixty five pounds and there are ſeveral diſcharges ſince, This diſcharge is dated the

twenty eight June I^m vj^c^ and thirty eight. 19, Bond John Home of Croſsrig to George Bell in Dunce for Eighty nine pounds tenth May I^m vj^c^ fourty one with an other little account of Eleven pounds eleven ſhilling ſubſcribed by the ſaid John Home ärent from Martinmaſs I^m vj^c^ and fourty one. 20, Aſsignation of two bonds Robert Home of Croſsrig to John Home brother to Patrick Home of Broomhouſe the one of one hundred and ten merks the Sixteenth of December I^m vj^c^ and fourty ſeven the other of Sixty three pounds dated the Eighteenth of March I^m vj^c^ and twenty nine Which aſsignation is made to Rodger Armour in Berwick fifth of September I^m vj^c^ thirty four. 21, Diſcharge Sir John Home of Blackadder and John Home of Croſsrig to John Fiſh farmer in Croſsrig for four years rent viz. for Martinmaſs I^m vj^c^ and thirty ſix Whitſunday and Martinmaſs I^m vj^c^ and thirty ſeven Whitſunday and Martinmaſs I^m vj^c^ and thirty eight Whitſunday and Martinmaſs I^m vj^c^ and thirty nine Whitſunday I^m vj^c^ fourty containing an particular account of many ſums depurſed for Croſsrig to be Conſidered whither they will affect the reverſion or can preſcrive dureing the not redemption ſeeing there are ſeverals of them beſides the ſums contained in the wodſet and ſubſcribed inventar of debts dated ſixteenth May I^m vj^c^ fourty. 22, Inventar ſubſcribed by the ſaid Sir John Elizabeth and John Homes of the debts Entituled thus At Blackadder place twenty ſixth May I^m vj^c^ fourty Compt of the debts and burdens upon the Lands of Croſsrig wherewith Sir John Home of Blackadder knight is bound to pay and has payed and is to give reverſion upon be vertue of the Clauſe and Condition of reverſion contained in the firſt Contract. 23, Diſcharge Mr Allan Lundie to Sir John Home of a quarters ärent of the ſaid three thouſand and fourty nine merks for Whitſunday and Martinmaſs I^m vj^c^ and thirty ſeven dated fifeteenth December I^m vj^c^ and thirty ſeven. 24, Recept Rodger Armour in Berwick to John Fiſh of Seven hundred merks in part of payment I^m vj^c^ and thirty ſeven It is torn. 25, Bond the ſaid John Home to the ſaid Sir John for one hundred merks payable at the redemption of the Wadſet to Sir John and the Succeſsors of the Wadſet thirteenth June I^m vj^c^ and fourty. 26, Compt of the ſums for which the Wadſet of Croſsrig were granted extending to Six thouſand and ninety ſeven merks three ſhilling ten pennies. 27, Diſcharge a part Mr Alexander Kinneir to Sir John Home of Blackadder, &c. of the ſums contain. ſupr. N. 12, dated ſecond December I^m vj^c^ and fourty Regiſtrat twenty fifth January I^m vj^c^ and fourty three It put in with that tranſumpt. 28, Wadſet Elizabeth and John Homes to John Bowie of Prieſtrig for two hundred and fifty merks in anno I^m vj^c^ and thirty four. 29, Diſcharge John Bell in Dunce to John Fiſh farmourer in Croſsrig of one hundred and ſix pounds thirteen ſhilling four pennies as Cautioner for Elizabeth Home of Croſsrig second May I^m vj^c^ and fourty. 30, Inhibition John Home and others contra Elizabeth Home I^m vj^c^ fifty nine. Auguſt 15, 1684, INVENTAR of the Wadſet on the Lands of Croſsrig and Writs following thereupon. 1, The Wodſet itſelfe dated ſecond Auguſt I^m vj^c^ and thirty ſix reg̃rat in the books of Council and Seſsion 10 February 1642. 2, Tack Elizabeth Home of Croſsrig and John Home her ſon to Sir John Home of Blackadder of the Lands &c. of Croſsrig to run dureing the Wadſet and for payment of the few duties to the ſuperior fifeteenth October I^m vj^c^ thirty ſix. 3, Inhibition Sir John Home contra Elizabeth Home Archbald Broun of Berriehill her ſpouſe and the ſaid John Home for ſecurity of the ſums in the Wadſet and Implement of the Wadſet Signet 27 November, 1639, executed perſonally againſt them all fourth January 1640 and at the mercat Croſs of Dunce the ſaid day Regiſtrat in Dunce fifth June I^m vj^c^ and fourty. 4, Aſsignation Sir John Home to James Home his ſon of the Contract of Wadſet and of the Lands of Croſsrig eighteenth September I^m vj^c^ thirty nine regiſtrat in the books of Council and Seſsion eight of October I^m vj^c^ and fourty. 5, Aſsignation the ſaid Sir John to his ſaid ſon of the tack ſup: N. 2. dated ſecond January I^m vj^c^ fourty. 6, 7, Charter a me et de me of the ſaid Lands of Croſsrig Elizabeth Home &c. to Sir John Home and his ſon James Home sixteenth May I^m vj^c^ fourty Confirmed on the back of the Charter and ſeaſine a me by Sir David Home of Wedderburn ſuperior of the ſaid Lands dated fifeteenth March I^m vj^c^ and fourty two. 8, Seaſine to the ſaid Sir John Dame Kathrine Home and their ſon James in the ſaid Lands under the hands of George Todrig nottar publict dated twenty ninth June I^m vj^c^ and fourty Regiſtrat in the general Regiſter of ſeaſines twentieth July I^m vj^c^ and fourty Mr Francis Hay. 9, Tack Dame Kathrine Home Lady Aitoun to David Home of Croſsrig and Iſsobell Home his ſpouſe the longeſt liver of them two of the ſaid Lands of Croſsrig houſes mannor place &c. from Whitſunday I^m vj^c^ and fourty four to Whitſunday I^m vj^c^ and fourty ſeven for the ſum of Eight hundred and fifty merks to be paid to the Lady her heirs Ex^rs^ or aſsigneyes she freeing the ſaid David and his ſpouſe of the few duties and the ſaid David paying the parſonage and viccarage teinds with fourty merks failzie toties quoties And in caſe the tack duty run over unpayed be the ſpace of any one of the years then the tack to be void ſo as it ſhall be leiſum to the Lady and her forſaids to enter again without any peril of Ejection Intruſion or other danger of the Law whatſomever as if the ſaid tack had never been made nor granted Which tack is dated

twenty eight June I^{m} vj^{c} fourty four. 10, Another Tack the ſaid Dame Kathrine Home for her ſelf and takeing burden on her for her ſaid ſon James to the ſaid David and Iſobell Homes of the ſaid Lands and teind ſhaves for the ſpace of other three years beginning from Whitſunday I^{m} vj^{c} and fourty nine to laſt till Whitſunday I^{m} vj^{c} fifty two whereby David and Iſobell are bound to pay yearly three hundred fifty five pound thirteen ſhilling four pennies as tack-duty Beginning the firſt terms payment at Martinmaſs I^{m} vj^{c} fourty nine and to relieve the Lady and her ſon their heirs Exe^{rs} and aſsigneyes of all taxations impoſitions annuities monethly maintainence outreiking of horſe and foot ſouldiers and other burdens whatſomever impoſed or to be impoſed dureing the ſpace aboveſpecified with
of liquidat Expences in caſe of ilk terms failgie Which tack is of the date the twenty third of June I^{m} vj^{c} and fourty nine. 11, Decreet of Abſolvitor John Fiſh tennent in Croſsrig againſt Elizabeth Home, and her huſband Archbald Broun in reſpect of the production of the aboveſpecified Contract of Wadſet whereby the maills and duties were aſsigned to Sir John Home This Decreet is before the Sheriff tenth April I^{m} vj^{c} and fourty three. 12, About the ſame time there was ane precept obtained from the Sherif at the inſtance of the Lady Aitoun againſt the ſaid John Fiſh dated twenty ſeventh March I^{m} vj^{c} and fourty five Executed Indorſed ſummonds Lady Aitoun elder againſt John Fiſh. 13, Mutual Diſcharge Dame Kathrine Home and David Home of Croſsrig and Iſobell Home his ſpouſe narrating a tack by the Lady to them of the Lands of Croſsrig and that notwithſtanding thereof the Lady is content to compt and reckon with them for the rents furder nor payes her termly the ärent of Six thouſand merks Therefore deduceing an account in the ſaid diſcharge she diſchargeing the ſaid David of the ärent of the ſaid ſum for Whitſunday and Martinmaſs I^{m} vj^{c} and fourty ſix And conſidering the ſaid David has received payment of the ſuperplus therefor he diſcharges the Lady of her haill Intromiſsions for Martinmaſs I^{m} vj^{c} and fourty five Whitſunday and Martinmaſs I^{m} vj^{c} fourty ſix and of all other ſums of money that he may aſk of her dated twelvth February I^{m} vj^{c} and fourty ſeven. 14, Another Diſcharge be the ſaid David Home to the Lady Aitoun of her intromiſsions tenth June I^{m} vj^{c} fourty five. 15, Inſtrument of Reſignation the ſaid Elizabeth Home of the Lands of Croſsrig by her Baillie Mark Home ſon to Sir John Home of Coldingknows in the hands of Sir David Home of Wedderburn and John Home younger of Blackadder ſuperiors of the ſaids Lands in favors of Sir John Home of Blackadder but prejudice of the Reverſion in favors of John Home of Croſsrig Which Inſtrument is under the hands of Mr George Trotter writer dated sixteenth September I^{m} vj^{c} thirty ſeven, Auguſt 18, 1684. Inventar of the Recepts of the few duties of Croſsrig and of the valued teinds, 1, Recepts of few duties for years I^{m} vj^{c} and thirteen I^{m} vj^{c} and fourteen I^{m} vj^{c} fifeteen I^{m} vj^{c} ſixteen I^{m} vj^{c} and ſeventeen I^{m} vj^{c} and eighteen I^{m} vj^{c} and twenty I^{m} vj^{c} and twenty two I^{m} vj^{c} and twenty four I^{m} vj^{c} and twenty five I^{m} vj^{c} and twenty ſix I^{m} vj^{c} twenty ſeven I^{m} vj^{c} and thirty ſeven in with the grounds of the Wadſet I^{m} vj^{c} and thirty nine and I^{m} vj^{c} and fourty Diſchargeing all preceedings, Two for I^{m} vj^{c} and fourty one, Two for I^{m} vj^{c} & fourty two, Two for I^{m} vj^{c} and fourty three, Two for I^{m} vj^{c} fourty four, Two for I^{m} vj^{c} and fourty five, Two for I^{m} vj^{c} and fourty ſix, Two for I^{m} vj^{c} and fourty ſeven, Two for I^{m} vj^{c} and fourty eight, Two for I^{m} vj^{c} fourty nine Diſchargeing all preceedings, One for I^{m} vj^{c} and fifty and Whitſunday I^{m} vj^{c} and fifty one, One for Martinmaſs I^{m} vj^{c} and fifty one and Whitſunday I^{m} vj^{c} and fifty two, One for Martinmaſs I^{m} vj^{c} fifty two Whitſunday and Martinmaſs I^{m} vj^{c} and fifty three, One for Whitſunday and Martinmaſs I^{m} vj^{c} and sixty three discharging all preceedings, One for Whitſunday and Martinmaſs I^{m} vj^{c} and ſeventy five Diſchargeing all preceedings. 2, Recept Laird of Wedderburn and Mr George Dickſon of Buchtrig of one hundred and twenty pounds in ſatiſfaction of all bygone few duties and in part of payment of the Compoſition to be made for receiveing Mr David Home his vaſsall Which Recept is dated twenty firſt of July I^{m} vj^{c} ſeventy ſeven This and the three following are now put in with the other papers of the debts due by Croſsrig Letter H. 3, Agreement betwixt Wedderburn Mr David Home and Croſsrig subſcribed be Wedderburn sixteenth November I^{m} vj^{c} ſeventy eight. 4, Recept Harviſtoun to Mr David Home in purſuance of the ſaid agreement for the ſum of three hundred merks thirty firſt October I^{m} vj^{c} and ſeventy nine. 5, Bond Harviſtoun to Mr David Home for three hundred merks till perfiteing the ſaid agreement thirty firſt Auguſt I^{m} vj^{c} and eighty. 6, Two Inſtruments James and David Homes contra the Laird of Wedderburn the one upon offer of the few duties in anno I^{m} vj^{c} ſixty ſix the other in anno I^{m} vj^{c} and ſixty ſeven. 7, Recept of Diſcharge of the teind of Croſsrig Cropts I^{m} vj^{c} and thirty nine I^{m} vj^{c} fourty I^{m} vj^{c} fourty one I^{m} vj^{c} and fourty two I^{m} vj^{c} fourty three I^{m} vj^{c} fourty four I^{m} vj^{c} and fourty five I^{m} vj^{c} and fourty ſix I^{m} vj^{c} and fourty eight I^{m} vj^{c} fourty nine and I^{m} vj^{c} and fifty. 8, Recept for five and six terms taxation for Croſsrig anno I^{m} vj^{c} and thirty three. 9, Diſcharge by Elizabeth Home of Croſsrig for the annuity agreed to be payed to her by the Contract of Wadſet and for the years I^{m} vj^{c} thirty ſix I^{m} vj^{c} thirty ſeven I^{m} vj^{c} and thirty eight I^{m} vj^{c} and thirty nine

I^{m} vj^{c} and fourty I^{m} vj^{c} and fourty one I^{m} vj^{c} and fourty two I^{m} vj^{c} and fourty three I^{m} vj^{c} and fourty four I^{m} vj^{c} and fourty five I^{m} vj^{c} fourty ſix I^{m} vj^{c} fourty ſeven and I^{m} vj^{c} and fourty eight. 10, Diſcharge for her annuity I^{m} vj^{c} and fourty nine due at the Whitſunday containing a Diſcharge of all preceedings and Diſcharge and Renunciation of the ſaid annuity in all time comeing dated fifth of June I^{m} vj^{c} fourty nine Regiſtrat in the books of Council and Seſsion the thirtieth of June I^{m} vj^{c} and fourty nine. Auguſt 20, 1684, Inventar of the Writs gotten from Mr Robert Home Miniſter at Craufordjohn &c. 1, A Contract betwixt John Home of Croſsrig on the one part and George Bowmaker and Jean Bowmaker his ſpouſe on the other part Whereby the ſaid John acknowledges the recept of five hundred merks Scots and grants a Wadſet in the Lands of Croſsrig for ſixty merks yearly Which Contract is dated the eight of January I^{m} v^{c} and ninety Tranſferred againſt Thomas Home brother to the ſaid John Home of Croſsrig sixteenth June I^{m} v^{c} and ninety ſeven In preſence of the Lords of Council and Seſsion. 2, Aſsignation the ſaid George Bowmaker to Mr James Home parſon of Dunbar of the ſaid ſum and Contract Which Aſsignation is dated I^{m} vj^{c} and three Regiſtrat in the books of Council and Seſsion the firſt of October I^{m} vj^{c} and thirty. 3, Decreet of Adjudication Mr John Home Leſmahagow againſt James Home as lawfully Charged to enter heir to the ſaid Mr James Home his father whereby the ſaid ſum is adjudged to the ſaid Mr John of the date the twenty ſecond of November I^{m} vj^{c} and thirty ſix But this Decreet I have not ſeen though I have ſought diligently for it and therefor it moſt be Extracted out of the Regiſters. 4, Tranſlation the ſaid Mr John Home in favors of Mr Robert Home Miniſter of Craufordjohn of the ſaid ſum and haill papers abovementioned firſt of October I^{m} vj^{c} and ſixty one. 5, Inhibition the ſaid James Home againſt Elizabeth Home of Croſsrig on the ſaid grounds ſignet the tenth of March I^{m} vj^{c} and thirty two Execute againſt her perſonally apprehended the ſeventeenth of April I^{m} vj^{c} thirty two and at Dunce and Greenlaw the eighteenth day Regiſtrat in the General Regiſter both Letters and Execution the fifeteenth May I^{m} vj^{c} and thirty two. 6, Decreet the ſaid Mr Robert Home againſt the ſaid Elizabeth conſtituteing the debt againſt her which did then amount to five hundred merks of principal and to three thouſand one hundred and eighty merks of ārents Which Decreet is in foro contentioſiſsimo before the Lords ſecond of January I^{m} vj^{c} and ſixty three. 7, Decreet Elizabeth Home againſt Robert Home her tutor in anno I^{m} vj^{c} & twelve Adduced by Mr Robert Home to prove the paſsive titles againſt her. 8, Charge to enter heir in ſpecial to Thomas and John Homes of Croſsrig Mr Robert Home contra the ſaid Elizabeth ſignet the ninth of January I^{m} vj^{c} and ſixty three Execute be Robert Home meſsenger the twelvth of January I^{m} vj^{c} and sixty three. 9, Letters of Appriſeing the ſaid Mr Robert againſt the ſaid Elizabeth Home and the Lands of Croſsrig Hiltoun and Edrem ſignet the twenty firſt of February I^{m} vj^{c} and ſixty three. 10, Executions of the ſaid Letters of Appriſeing whereby it appears the meſsenger Robert Home did on the fourth and fifth dayeș of March I^{m} vj^{c} and ſixty three paſs to the dwelling houſe of the ſaid Elizabeth Home in Lambdean and to the ground of the ſeveral Lands and as well within her dwelling houſe as on the ground of the Lands &c. diligently ſearched and ſought reſpective the ſaid Elizabeth her readieſt goods and geir moveable &c. but the meſsenger has forgot to ſet down Witneſses to the ſearching of her moveables at her dwelling houſe. 11, Decreet of Appriſeing the ſaid Mr Robert againſt the ſaid Elizabeth Appriſeing the Lands of Croſsrig Hilltoun and Edrem which appriſeing is of the date the twenty fourth of March I^{m} vj^{c} and ſixty three for Three thouſand ſix hundred and eighty merks principal one hundred and eighty four merks of ſherif fie in all three thouſand eight hundred and ſixty four merks. 12, Charge againſt the ſuperiors viz. The Earl of Home and Lairds of Wedderburn & Hiltoun to receive the ſaid Mr Robert Home as vaſsal ſignet the eight of April I^{m} vj^{c} and ſixty three. 13, Executions thereof by Robert Home meſsenger againſt the Earl of Home perſonally againſt Wedderburn and Hiltoun at their dwelling houſes dated the fourth and fifth dayes of May I^{m} vj^{c} and ſixty three. 14, Diſpoſition and Aſsignation the ſaid Mr Robert Home to James Home of Greenladean of the ſaid Decreet of Appriſeing haill grounds and warrands thereof the ſeventh of Auguſt I^{m} vj^{c} and ſixty five. 15, Diſpoſition James Home of Greenladean to Mr David Home of all his rights &c. dated the tenth of April I^{m} vj^{c} ſeventy ſeven regiſtrat the twenty fourth of April I^{m} vj^{c} and ſeventy nine. 16, Seaſine the ſaid Mr David Home in the Lands of Croſsrig and others under the hand of James Trottar nottar ſeventeenth of May I^{m} vj^{c} ſeventy ſeven Regiſtrat in the General Registers the ninth of June I^{m} vj^{c} ſeventy ſeven. 17, Decreet of Maills and Duties Mr David Home againſt David and Robert Homes of Croſsrig for the maills of Croſsrig Whitſunday and Martinmaſs I^{m} vj^{c} and ſeventy ſeven Whitſunday I^{m} vj^{c} and ſeventy eight at nine hundred merks per annum in abſence at Dunce the ſixth of June I^{m} vj^{c} and ſeventy eight. 18, Decreet of removeing ſaid Mr David Home againſt ſaid parties of the ſaid date. 19, Precept of Poinding on the firſt Decreet of the ſaid date. 20, Precept of Ejection upon the ſaid Decreet of the ſaid date This is at preſent in

Robert Whillifs's hand to be called for. 21, Tack Mr David Home with conſent of David Home and his wife Iſobell to Thomas Douglas of five years at nine hundred and fifty merks yearly with Caſualities and the Tennent to pay viccarage and parſonage teinds, twenty fourth of March I^m vj^c^ and ſeventy nine. 22, Horning the ſaid Mr Robert Home contra Elizabeth Home for the principal ſum of thouſand merks haill bygone ärents and ärents of the ſaid ärents conform to the Act of Parliament ſignet the ninth of January I^m vj^c^ and ſixty three Execute againſt her perſonally apprehended the twelvth of January I^m vj^c^ ſixty three Denunced at Dunce the third of February I^m vj^c^ and ſixty three and the Letters and *Denunciation* reg̃rat in the General Regiſter the twelvth of February I^m vj^c^ and ſixty three. Auguſt 20, 1684, Inventar of the Writs containing debts be David and Robert Homes of Croſsrig to James and Mr David Homes. 1, Band David Home of Croſsrig for one thouſand eight hundred and eight pounds to James Home of Greenladean dated the third of December I^m vj^c^ and ſixty two. 2, Band the ſaid David Home as principal and James Home as cautioner to Robert Watson indweller in Eccles for the ſum of six hundred and ſixty ſix pounds thirteen ſhilling four pennies dated the fifeteenth of Febrüary I^m vj^c^ ſixty ſix Regiſtrat in the books of Council and Seſsion the thirteenth of March I^m vj^c^ ſeventy two. 3, Letters of horning at the ſaid Robert's inſtance againſt the ſaid parties on the ſaid bond ſignet the fourteenth of March I^m vj^c^ and ſeventy two. 4, Executions of the ſaid horning the twenty firſt of March I^m vj^c^ and ſeventy two by George Watſon meſsenger. 5, Inhibition the ſaid Watſon againſt the ſaid parties ſignet the thirteenth of March I^m vj^c^ and ſeventy two. 6, Executions againſt the ſaid parties Execute perſonally againſt David twenty firſt March I^m vj^c^ and ſeventy two and at the Croſs of Dunce and Greenlaw and againſt the ſaid James perſonally apprehended the twenty eight of March I^m vj^c^ and ſeventy two as alſo at the ſaid Croſses the twenty third of April I^m vj^c^ and ſeventy two. The Letters and Executions regiſtrat in the General Regiſter the twenty ſixth of April I^m vj^c^ and ſeventy two. 7, Aſsignation the ſaid Robert Watſon to the ſaid James Home of the principal ſum of one thouſand merks and haill ärents thereof whilk was reſting owing ſince the date of the ſaid bond dated the twenty ſecond of July I^m vj^c^ and ſeventy four. 8, Bond Robert Home of Croſsrig and Iſobell Home his mother to Charles Ormiſtoun for one hundred and ſeventy ſeven pounds four ſhilling dated the ſixteenth of January I^m vj^c^ & ſeventy two Regiſtrat in the books of Council and Seſsion the tenth of September I^m vj^c^ and ſeventy two. 9, Letters of horning upon the ſaid bond ſignet the twenty fourth of September I^m vj^c^ and ſeventy two. 10, Execution thereof ag^t^ both perſons perſonally apprehended on the fifth of October I^m vj^c^ and ſeventy two by George Watſon meſsenger. 11, Aſsignation of the ſaid ſum and bond to James Home of Greenlawdean the thirty firſt of January I^m vj^c^ and ſeventy three. 12, Precept of poinding by the Commiſsar of Lauder upon bond granted by David Home of Croſsrig and his wife to James Johnſtoun for one hundred and nine pounds eighteen ſhilling Scots dated the ſeventh of June I^m vj^c^ and ſixty ſeven reg̃rat in the books of Lauder the twenty third of April I^m vj^c^ and ſeventy two. 13, Aſsignation the ſaid James Johnſton to James Home of the ſum of eighty ſix pounds eighteen ſhilling Scots with the ärents from Whitſunday I^m vj^c^ and ſeventy three of the forſaid one hundred and nine pounds eighteen ſhilling contained in the aboveſpecified band the ninth of May I^m vj^c^ and ſeventy four. 14, Precept Mr Charles Home and Recept Alexander Martin to Mr David Home of Sixty four pounds which was due (tho not ſo worded) for the nonentries of Croſsrig's Land of Hiltoun that held of the King January the fourth I^m vj^c^ and ſeventy eight. 15, Account and recept of the Expences of my decreet of maills and duties and decreet of removeing againſt Croſsrig the ſum fourty two pounds four ſhilling ſubſcribed by the Clerk Alexander Martin. 16, Diſcharge of thirty ſix pounds in part of payment of the ärents of four hundred and fifty merks due by David Home of Croſsrig as principal and James Home of Greenladean as cautioner to John Fairlie received from Mr David Home the twenty ninth of April I^m vj^c^ and eighty. Vid. other diſcharges ſince that time in the bundle of Diſcharges. 17, Diſcharge of few duties Wedderburn to James Home for Martinmaſs I^m vj^c^ and ſeventy four and preceedings thirteenth of June I^m vj^c^ ſeventy four. Vide Inventar, C. E. for other Recepts of few duties. 18, Account of depurſements for the Expedeing of the rights of the Lands of Hiltoun not yet compleated. 19, Diſpoſition of moveables David Home of Croſsrig to James Home wherein he acknowledges he is reſting to the ſaid James certain great ſums of money which will exceed the worth and value of his Lands and heretadges &c. the firſt of December I^m vj^c^ and ſeventy four. 20, Several Ceſs tickets for the Ceſs of Croſsrig viz. for the fifth ſixth ſeventh eight ninth & tenth terms ſupply payable by act of Convention and for the firſt and ſecond terms ſupply payable by Act of Parliament. 21, Four Exciſe tickets The firſt from firſt Auguſt I^m vj^c^ and eighty to the firſt of May I^m vj^c^ eighty one The ſecond from firſt of May I^m vj^c^ and eighty one to firſt of November I^m vj^c^ and eighty one The third from firſt of November I^m vj^c^ and eighty one to firſt of May I^m vj^c^ and eighty two. The fourth for Exciſe preceeding firſt of May I^m vj^c^ and eighty four. 22, Precept by

Mr David Home on Thomas Douglas and Recept Robert Home of Croſsrig to him for ſix pounds Scots the fifth of September Im vjc^o and eighty two. 23, Precept the ſaid Mr David on Thomas Douglas and Recept John Home ſchoolmaſter at Huttoun the twenty fifth of December Im vjc^o and eighty two. 24, Precept on the ſaid Thomas and Recept Iſsobell Home Croſsrig's relict for two Dunmonts at ſix ſhillings ſterling three pounds twelve ſhilling the ninteenth of February Im vjc^o and eighty three. 25, Recept William Nitbit of Six pounds eight ſhilling for timber to the houſe of Croſsrig twenty ſeventh July Im vjc^o and eighty three. 26, Recept Robert Home of Croſsrig to Thomas Douglas on a precept of my Wifes for two hundred pounds the eleventh of December Im vjc^o and eighty two. 27, Recept David Home of Croſsrig to Thomas Douglas of five rix dollers upon a precept by Mr David Home the tenth of Auguſt Im vjc^o and eighty one. 28, To John Home schoolmaſter of Huttoun two years annuities to Whitſunday Im vjc^o eighty four per his recept the ſeventh of July Im vjc^o and eighty four. 29, Two doubles of bills of ſuſpenſion the ſaid David Home of Croſsrig contra Mr David Home charger and the ſaid Mr David's anſwers in anno Im vjc^o and ſeventy eight. 30, Minut ſubſcribed betwixt David Home of Croſsrig Mr David Home and Henry Carmichael anent the ſale of the four Lands of Edrem for the ſum of four thouſand merks dated at Chirnſide the twenty fourth of May Im vjc^o & ſeventy nine. 31, Note of agreement betwixt George Carmichael of Edrem and the ſaid Croſsrig whereby it is agried that they paſs hinc inde from the abovewritten Minut dated the ſeventeenth of November Im vjc^o and eighty one but not ſubſcribed by agreement. 32, Diſpoſition of the ſaid four Lands unſubſcribed. 33, Five doubles of the Account Charge and Diſcharge with Croſsrig. 34, Note of an order on Edrem to pay to Croſsrig one hundred and thirty one pounds twelve ſhilling and ſix pennies Which day lent to the ſaid David Home of Croſsrig one rix dollar. 35, Renunciation John Dauy to Robert Home of Croſsrig of three aikers in Hiltoun. 36, Croſsrigs Charge till Whitſunday Im vjc^o and ſeventy ſix written be James Home himſelf. 37, Some Letters. 38, Theſe papers are here which are in the other Inventar in with this viz. the twelvth, thirteenth, fourteenth, fifeteenth ſixteenth, ſeventeeth eighteenth nineteenth, twenty firſt twenty ſecond, twenty third and twenty fourth articles. 39, Ceſs Tickets for Martinmaſs Im vjc^o and eighty four Whitſunday and Martinmaſs Im vjc^o and eighty five for the Univerſity of Saint Andrews ſecond September Im vjc^o eighty five Whitſunday and Martinmaſs Im vjc^o eighty ſix and an Exciſe Ticket to firſt of September Im vjc^o eighty five. 40, Two Recepts be the reader of Huttoun for Whitſunday Im vjc^o eighty five and eighty ſix. 41, Recept John Haſtie meaſon for twelve pounds fourth of November Im vjc^o and eighty ſix. 42, Contract betwixt David Home of Croſsrig and his mother Im vjc^o and fifty ſeven. 43, Inventar of the Writs received by Archbald Fiſh from Blackadder Im vjc^o and fourty one concerning Falconers Land in Eymouth. 44, Ticket by Iſsobell Home goodwife of Croſsrig to the Lady Aitoun anent the allowance of ſome quarterings to her fourth of February Im vjc^o fourty eight. Inventar of the Writs relateing to the Lands of Croſsrig. 1, Charter granted by George Ogilvie of Dunlugus to Thomas Home in Croſsrig and Elizabeth Home his ſpouſe the longeſt liver of them two in life rent which failzieing to John Home eldeſt lawfull ſon to the ſaid Thomas of his part of the Lands of Croſsrig with the pertinents dated the twenty eight of December Im vc^o and ſeventy ſix. 2, Seaſing following on the ſaid Charter dated the twenty ſixth of February the ſaid year. 3, Charter by Robert Logan of Reſtalrig to the ſaid Thomas and Elizabeth Homes of his part of the forſaid Lands of Croſsrig extending to a four merk Land dated the fifeteenth of April Im vc^o and ſeventy nine. 4, Inſtrument of ſeaſine following on the ſaid Charter dated ſixteenth of April Im vc^o and ſeventy nine. 5, Precept of Clare Conſtat by the ſaid George Ogilvie of Dunlugus to Thomas Home as heir to the deceiſt John Home his uncle in his part of the forſaid Lands of Croſsrig dated the thirty firſt of December Im vc^o and ninety ſix. 6, Inſtrument of ſeaſine on the forſaid precept of Clare Conſtat dated the twenty third of March Im vc^o and ninety ſix. 7, Precept of Clare Conſtat by the Laird of Wedderburn to Elizabeth Home as heir to her uncle John dated twenty ſixth of March Im vjc^o and ſix Inſtrument of ſeaſine on the forſaid precept dated twenty ſixth of April Im vjc^o and six. 9, Precept of Clare Conſtat the ſaid Laird of Wedderburn to the ſaid Elizabeth Home as heir to Thomas Home dated twenty ſixth of March Im vjc^o and ſix. 10, Inſtrument of ſeaſine following thereon dated twenty ſixth of April Im vjc^o and ſix. 11, Contract of Wadſet betwixt Sir John Home of Blackadder on the one part Elizabeth Home of Croſsrig with conſent of Archbald Broun of Berriehill then her future ſpouſe on the ſecond part and John Home her ſon on the third part of the date the ſecond of Auguſt Im vjc^o and thirty ſix regiſtrat in the books of Councill and Seſsion upon the tenth of February Im vjc^o and fourty two. 12, Aſsignation be the Laird of Blackadder in favors of his ſpouſe and James his ſon of the forſaid Contract of wadſet dated the eighteenth of September Im vjc^o and thirty nine Regiſtrat in October Im vjc^o and fourty. 13, Charter Elizabeth Home of Croſsrig and John Home her ſon to the ſaid Sir John Home of Blackadder and his ſpouſe and ſon of the Lands of Croſsrig dated the ſixteenth of May Im vjc^o and fourty. 14, Another Charter of

the ſaid lands be the ſaid Elizabeth and John Homes in favors of the ſaid Sir John Home his ſaid ſpouſe and ſon dated the Sixteenth May I^m vj^c^ and fourty. 15, Inſtrument of ſeaſin on the forſaid Charter dated the twenty ninth of June I^m vj^c^ and fourty Regiſtrat in the General Regiſter of Seaſines keept at Edinburgh upon the twentieth of July the ſaid year. 16, Diſpoſition by the ſaid James Home therein deſigned of Greenladean to Sir David Home of Croſsrig of the forſaid Lands of Croſsrig dated the twentieth of April I^m vj^c^ and ſeventy ſeven Regiſtrat in the books of Seſsion upon the twenty fourth of April the ſaid year. 17, Special Retour David Home of Croſsrig as heir to his brother John dated the fourteenth of April I^m vj^c^ and ſeventy four. 18, General Retour Robert Home as heir to his uncle John dated the twenty ſeventh of March I^m vj^c^ and eighty three. 19, General Retour the ſaid Robert as heir to his father David dated the ſecond of July I^m vj^c^ and eighty ſeven. 20, Letter of reverſion in parchment granted by Sir John Home of Blackadder in favors of John Home and his heirs dated the thirteenth of January I^m vj^c^ and fourty one Regiſtrat on the twenty ſeventh of January the ſaid year. 21, Submiſsion and Decreet Arbitral betwixt the ſaid Sir David Home and the ſaid Robert Home dated the eighteenth of February I^m vj^c^ and ninety eight. 22, Principal Diſpoſition by the ſaid Robert Home in favors of the ſaid Sir David Home dated the twenty ſixth of July I^m vj^c^ and ninety eight. Inventar of the Grounds of the Summonds at the Inſtance of the Lord Croſsrig againſt Robert Home of Croſsrig Imprimis Principal Summonds and an Execution for firſt and ſecond diets Item principal bond by the deceaſt David Home of Croſsrig and Iſsobell Home his ſpouſe to the deceaſt James Home of Greenladean therein deſigned lawfull ſon to Sir John Home of Blackadder for the ſum of one thouſand eight hundred and five pounds Scots money of principal bearing ãrent and expences Which bond is of the date the third and dayes of December I^m vj^c^ and ſixty two years, Item Band by the ſaid deceaſt David Home as principal and the ſaid deceaſt James Home as Cautioner to Robert Watſon indwellar in Eccles for the ſum of one thouſand merks Scots of principal with ãrent and penalty dated the fifeteenth day of February I^m vj^c^ and ſixty ſix years and regiſtrat in the books of Council and Seſsion upon the thirteenth day of March I^m vj^c^ and ſeventy two Item principal aſsignation by the ſaid Robert Watſon to the ſaid deceaſt James Home of the forſaid bond principal ſum ãrent and penalty therein contained which is dated the twenty ſecond of July I^m vj^c^ and ſeventy four Item bond be the ſaid Robert Home ſon to the ſaid David Home and Iſsobell Home of Croſsrig to Charles Ormiſtoun merchant in Kelſoe for the ſum of one hundred three ſcore ſeventeen pounds four ſhilling Scots of principal with ãrent and penalty of the date the ſixteenth day of January I^m vj^c^ and ſeventy two years Regiſtrat in the books of Council and Seſsion upon the tenth of September the ſaid year: Item principal aſsignation by the ſaid Charles Ormiſtoun to the ſaid deceaſt James Home of the forſaid bond principal ſum ãrent and penalty which is of the date the thirtie firſt of January I^m vj^c^ and ſeventy three years Item band be the ſaid deceiſt David Home of Croſsrig and Iſsobell Home his ſpouſe to James Johnſtoun for the ſum of one hundred and nine pounds eighteen ſhilling Scots of principal, with ãrent and penalty of the date the ſeventh of June I^m vj^c^ and ſixty ſeven years Regiſtrat in the Commiſsar Court books of Lauder upon the twenty third day of April I^m vj^c^ and ſeventy two years Item principal aſsignation be the ſaid James Johnſtoun therein deſigned ſervitor to the Laird of Keams to the ſaid James Home of the forſaid bond principal ſum ãrent and penalty therein contained of the date the ninth day of May I^m vj^c^ and ſeventy four years Item an account of fourty ſeven pounds money forſaid payed by the ſaid deceaſt James to the Laird of Kimmergem for ſeed bear and peaſe to the ſaid David Home Item an account of nineteen pounds lent to him by the ſaid deceaſt James Home Item an account of ſixty four pounds Scots money payed by the ſaid deceaſt James Home for the ſaid deceaſt David Home to Mr Charles Home Sheriff depute for what was due to him at the ſale of the Lands of Hiltoun Item Principal Diſpoſition by the ſaid deceaſt James Home of Greenladean to the ſaid Lord Croſsrig purſuer of all and ſundry his goods geir debts ſums of money and others pertaining to him the time of his deceaſe which is of the date the twenty day of April I^m vj^c^ and ſeventy ſeven Item Principal bond by the ſaid deceaſt David Home as principal and the ſaid deceaſt James Home of Greenladean as cautioner to John Fairly indweller in Edinburgh for the ſum of four hundred and fifty merks with ãrent and expences which bond is of the date the twenty firſt of April I^m vj^c^ and ſeventy ſix Item Diſpoſition be the ſaid John Fairlie to Thomas Kincaid Chirurgeon Apothecary Burgeſs of Edinburgh to all and ſundry his goods geir debts ſums of money bonds and others pertaining to him the time of his deceaſe which diſpoſition is dated the ſixteenth of December I^m vj^c^ and eighty two and regiſtrat in the books of Council and Seſsion upon the ſixteenth day of December I^m vj^c^ and eighty four Item Inſtrument of publication of the ſaid diſpoſition at the mercat Croſs of Edinburgh which is of the date the ſaid ſixteenth day of December I^m vj^c^ and eighty two Item Principal tranſlation of the haill premiſes by the ſaid Thomas Kincaid in favors of the ſaid Lord Croſsrig purſuer dated the nineteenth of December I^m vj^c^ and eighty four

Item An account of fourty two pounds Scots money payed by the ſaid Lord Croſsrig purſuer for a decreet of removeing and decreet of maills and duties before the Sheriff of Berwickſhire againſt the ſaid deceaſt David Home Item Account of other fourty two pounds payed by the ſaid purſuer of Expences to Robert Watſon Charles Ormiſtoun and James Johnſtoun and for a ſummonds of tranſferring at his inſtance of a ſummonds of removeing at the ſaid James Home's inſtance all againſt the ſaid David Home Item Precept drawn by the ſaid purſuer on Thomas Douglas tennent in Croſsrig to give to the ſaid deceaſt David Home five rix dollars Item Recept the ſaid deceaſt David Home to the ſaid Thomas Douglas on the foot of the forſaid Precept Which Recept is dated the tenth of Auguſt I^m vj^c^ and eighty one Item Recept by the ſaid Robert Home to the ſaid Thomas Douglas for ten ſhillings ſterling on the foot of a precept drawn by the ſaid purſuer on him Which recept is dated the firſt of September I^m vj^c^ and eighty two Item Recept by Iſobell Home relict of the ſaid deceaſt David Home to the ſaid Thomas Douglas for two Chaſer ſheep at ſix ſhilling ſterling the two upon the foot of the ſaid purſuers precept drawn on him for that effect Which recept is dated the nineteenth of February I^m vj^c^ and eighty three Item Recept the ſaid Robert Home of Croſsrig of the ſum of two hundred pounds Scots money as the expences of his fathers funerals on the foot of the ſaid purſuer's Lady's precept drawn on Thomas Douglas Which recept is dated the twenty fifth of December I^m vj^c^ and eighty two Item An account of two hundred and fifty pounds ſixteen ſhilling and four pennies of Expences depurſed by the ſaid deceaſt James Home of Greenladean for the ſaid deceaſt David Home of Croſsrig for the Expedeing of the rights of ſome Lands in Hiltoun Item Factory and Commiſsion by the ſaid David Home to the ſaid deceaſt James Home for procureing him infeft in the two Lands in Hiltoun which is dated the thirteenth of January I^m vj^c^ and ſixty one Item Theſe papers aftermentioned which were never Inventared whoſe tenors are made up in manner aforementioned viz. Backband granted by George Home younger of Wedderburn to Robert Home of Croſsrig relative to an diſpoſition made by him in the ſaid Wedderburn's favors whereof the tenor is ſufficiently proven that thereby Wedderburn did acknowledge that albeit the ſaid diſpoſition granted by Robert Home to him was abſolute yet he oblidged himſelf to denude in favors of the heirs of the ſaid Roberts body when exiſting and required Reſerveing the ſaid diſpoſition to him for Security of the Expences waired out by him in the ſaid Roberts affairs Which backband is of the date the day of years Item Bond granted by the deceaſt James Home of Greenladean to the ſaid Sir David for the ſum of thirty thouſand merks dated the twentieth of December I^m vj^c^ and ſeventy five years And lastly Our Soveraign Lord with the advice and conſent forſaid Declares that this preſent Act ſhall be and is hereby Excepted furth of and from any Act Salvo to be paſt in this Seſsion of Parliament.

DRAUGHT of an Act for a Commiſsion for determineing the differences betwixt the old and new Tackſmen of the Pole-money I^m vj^c^ and ninety three and officers of the army therein concerned read for the firſt time, and agried that to morrow the States ſhall ſeparat and choiſe three of each State to be filled up in the ſaid Commiſsion. [Anent the Pole 1693]

DRAUGHT of an Act anent Coal and Salt read for the firſt time. [Coal & Salt]

HIS Majeſties high Commiſsioner did ſignifie to the Parliament that His Majeſtie may have occaſion for the forces not provided for by the Parliament and deſired that the Parliament might conſent to the keeping up thereof for ſome moneths untill his Majeſtie conſider how to diſpoſe of them provideing that dureing that ſpace they be maintained by the King without burdening the fonds given by the Parliament for the three thouſand men: After Reaſoning on what was propoſed by his Majeſties High Commiſsioner, A Reſolve was offered in theſe terms, viz. Reſolved that the forces upon the former Eſtabliſhment not exceeding one thouſand one hundred men over and above the three thouſand men conſented to in this Seſsion of Parliament and cannot continue or be keept up after the firſt of February next without the Parliaments conſent be farder Continued for the ſpace of four moneths and no longer after the ſaid firſt of February that his Majeſtie may in the mean time diſpoſe upon them With this expreſs Condition that his Majeſtie order them to be payed and maintained but out of no fund appointed for payment of the ſaid three thouſand men and without any burden to the Kingdom: Which Reſolve being read, was put to the vote Approve or not, it Carried Approve One hundred and Eleven to Fifty Eight. Reſolve for Continueing for four moneths the forces that are over and above the 3000 men &c.

BEFORE Calling of the Rolls upon the ſaid vote the Duke of Hamilton and Marquis of Tweeddale Declared that they did diſsent from the ſaid Reſolve and thereupon took Inſtruments, And they and fourty one more Members of Parliament of the ſaid number of fifty eight abovementioned Deſired their diſsents to be marked, which was accordingly done to remain in the Records of Parliament. The names of which fourty three

Members who deſired their diſſents to be marked do here follow.

Of the Nobility

The Duke of Hamilton	Lords Blantire
The Marquis of Tweeddale	Bargany
Earls Mariſchal	Duffus
Rothes	Colvill
Tullibardine	
Ruglen	
The Viſcount of Strathallan	

Of the Commiſsioners for the Barons.

Names of the Members who deſired their diſsent from continueing for four moneths the 1100 men over and above the 3000 to be marked.

Sir Alexander Gilmor of Craigmiller
Robert Dundaſs of Arnieſtoun
Sir John Lauder of Fountainhall
William Hepburn of Beinſtoun
Sir John Hume of Blackadder
George Baillie of Jerveſwood
Sir Francis Scot of Thirleſtain
William Baillie of Lamingtoun
Sir Thomas Kilpatrick of Cloſeburn
John Crauford of Kilbirnie
John Haldan of Gleneagles
Robert Pollock of that Ilk
Mr John Stuart younger of Blackhall
Sir John Houſtoun of that Ilk
Sir Alexander Monro of Bearcrofts
Mr James Craigie younger of Dumbarny
Sir Thomas Burnet of Leyes
James Moir of Stonywood
Sir Samuel Forbes of Foveran
Ludovick Grant of that Ilk
Mr James Carnegie of Phinhaven
Alexander Duff of Bracoe
Sir John Erſkine of Alva

Of the Commiſsioners for Burghs

Robert Smith	Mr James Hamilton
Alexander Edgar	Robert Faw
Patrick Murray	Robert Stuart
Alexander Ged	Mr Robert Clelland
Francis Moliſon	

[Anent ſealing of Linen Cloath &c.] DRAUGHT of an Act from the Committie of trade for meaſureing and ſealing of linnen and woollen Cloath, and another Act from the ſaid Committie anent the Exporters of linnen yarn both read for the firſt time.

[Officers in the Bank of Scotland to take the Oaths] OVERTURE for an Act that theſe who have offices in the Bank of Scotland do take the Oaths and other Engagements to His Majeſtie required by Law And the Governour of the ſaid Bank haveing deſired up the ſaid Act to ſee, a vote was ſtated, Allow the ſaid Act a firſt reading, or the Governour of the Bank to ſee the ſamen, and Carried the Governour to ſee the ſame.

DRAUGHTS of the Acts following viz. Act anent the poor, Act in favors of the Lords of Seſsion, Act for the more effectual Executeing the Laws againſt ſlayers of Black-fiſh and deſtroyers of ſmolts and fry of ſalmond in forbidden time, Act anent the fiſhing on the water of Nith, Act in favors of Mr Thomas Rome and Partners anent the smelting and refineing of mettals and minerals, Act concerning the Crime of ſlandering and leiſing makeing, Act anent the Juſtices of Peace, and Act of diſsolution from the Croun of the Mines and Minerals lying within the Lands Lordſhip and Earldom of Athol and others belonging to the Marquis of Athol and Earl of Tullibardine, all read for the firſt time.

[Copper Coin] OVERTURE for an Act allowing a certain quantity of Copper therein mentioned to be of new Coined, read and ordered to ly on the table.

PETITION the Earl of Kilmarnock Craveing the Cuſtome therein mentioned for each ſack of meal to be brought to his meal mercat in the Burgh of Kilmarnock, read and the deſire thereof Granted, as follows.

Act in favors of the Earl of Kilmarnock ANENT the Petition of William Earl of Kilmarnock humbly Shewing to His Majeſties High Commiſsioner and the Honourable Eſtates of Parliament that by the Earls Rights and Infeftments the Toun of Kilmarnock is Erected into a free Burgh of Barony with the priviledge of fairs and weekly mercats and accordingly the Earl and his predeceſsors have been in conſtant and immemorable poſſeſsion of ane weekly meal mercat in the ſaid Burgh and of Exacting a ſmall Cuſtome of twelve pennies Scots upon each ſack brought in to the ſaid mercat But there being no convenient mercat hitherto built for ſheltering and preſerveing the meal and other grains brought in to the ſaid mercat whereby there ariſes a great inconveniencie to the neighbourhood the Earl and the Community of the ſaid Burgh are Reſolved to build a convenient mercat upon their own Expences which will be no ſmall Charge and the neighbouring Gentlemen and Heritors and Commiſsioners of Supply of the Shire of Air being fully convinced of the Inconveniencie of the want of a meal mercat have Conſented that the Cuſtome of Twelve pennies Scots formerly in uſe to be payed for each ſack ſhould be augmented to four ſhilling Scots upon each ſack according as is in uſe to be Exacted in the Touns of Air and Irving and that from and after Compleating the ſaid meal mercat as an ſubſcribed Conſent under the hands of the Heretors and Commiſsioners of Supply produced with the ſaid Petition teſtifies And ſeeing the building of ane convenient mercat will be ane

evident advantadge to the Leidges and that the Touns of Air and Irving have been formerly authorized by the Eſtates of Parliament to highten their Cuſtomes upon the ſame accouñt Therefor humbly Craveing His Grace and the honourable Eſtates of Parliament to authorize the forſaid new Cuſtome of four ſhilling Scots upon each ſack of meal or other grain brought in to the ſaid mercat and to give power and warrand to the Earl his Tackſmen and Collectors to uplift the ſame as uſe is in uplifting Cuſtomes in fairs and mercats Commenceing how ſoon the ſaid mercat place ſhall be built and compleat and Declared to be ſuch by the Commiſsioners of the ſhire As alſo to Ratifie and Approve the Earls former priviledge of mercats in the ſaid Burgh of Barony and the mercat now to be built with the forſaid new Cuſtome in favors of the Earl and theſe deriveing right from him as the ſaid Petition bears Which being this day read in preſence of and Conſidered by his Majeſties high Commiſsioner and the Eſtates of Parliament They have Authorized and hereby Authorize the forſaid new Cuſtome of four ſhilling Scots upon each ſack of meal or other grain brought in to the ſaid mercat And Give by thir preſents power and warrand to the Earl his Tackſmen and Collectors to uplift the ſame as uſe is in uplifting Cuſtomes in fairs and mercats Commenceing how ſoon the ſaid mercat place ſhall be built and compleat and declared to be ſuch by the Commiſsioners of the ſhire As alſo have Ratified and hereby Ratifie and Approve the Earls former priviledge of mercats in the ſaid Burgh of Barony and the mercat now to be built with the forſaid new Cuſtome in favors of the Earl and theſe deriveing right from him.

ACTS of Ratifications in favors of ſeveral perſons preſented and paſt the Tenors of which do follow.

RATIFICATION in favors of John Marques of Atholl and John Earl of Tullibardin his ſon diſsolving from the Crown the minerals within the Earldom of Athol

18 OUR SOVERAIGN LORD and Eſtates of Parliament do by thir preſents Ratifie Approve and perpetually Confirm a Charter of the date at Kenſingtoun the twenty ſeventh day of April I^m^ vjc and ninety nine years Granted by his Majeſtie with the ſpecial advice & conſent of the Lords and others Commiſsioners of his Highneſses Theſaury and Exchequer and paſt and expede under the great ſeal of this Kingdom By which Charter His Majeſtie with advice and conſent forſaid Has Given Granted and Diſponed and for him and his ſucceſsors perpetually confirmed to and in favors of His truſty and well beloved Couſing and Councillour John Marquis of Atholl in liferent dureing all the dayes of his lifetime and to John Earl of Tullibardine his eldeſt ſon and his heirs male and of tailzie contained in the Infeftments of the Lands and Earldom of Atholl and his other heirs and aſsigneyes whatſomever in ſic heretably and irredeemably with and under the proviſions conditions reservations reſtrictions limitations and irritant Clauſes ſpecified in the ſaid Infeftments All and sundry the mines of gold ſilver lead tinn, coper and all other minerals colours and mettals whatſomever of whatever nature kind and quality the ſamen be of already found or which in any time to come ſhall be found within the haill bounds of the ſaid lands and Earldom of Atholl comprehending as is mentioned in the Infeftments thereof lying within the Sherifdom of Perth and within the bounds of all other Lands Lordſhips Baronies and others of whatſomever deſignation pertaining and belonging to them as well in ſuperiority as property wherever the ſamen lyes within this Kingdom with all title and intereſt whatſomever which his Majeſtie or his ſucceſsors has or any wayes may have claim or pretend thereto or any part of the ſame with full power to the ſaid Marquesſs and his ſaid ſon and his forſaids to win work ſearch and find out the ſaid mines minerals colours and mettals within any part of the ſaid Lands generally and particularly abovementioned and for that end to work and dig ſhanks levells vaults and ſinks within any part of the ſame and alſo with the priviledge of wayes and paſsages thereto and therefrom and generally to uſe all other methods for working and winning the ſamen which they ſhall think fit and to diſpoſe upon the ſaid mines mettals and others at their pleaſure and to apply all the profites thereof to their own uſe and advantage And sicklike with power to the ſaid Marquis and his ſaid ſon and his forſaids to melt and refine the ſaid mettals and minerals and to tranſport the ſame over ſea (except gold and ſilver which by the Laws are diſcharged to be exported) and generally with all and ſundry other liberties priviledges and immunities whatſomever pertaining to or poſſeſt with any other mines and the works thereat by the Laws and practique of this Kingdom By which Chartor alſo his Majeſtie Wills Grants and Ordains the ſame to be as ſufficient to the ſaid John Marquis of Atholl and John Earl of Tullibardine as if the ſaid mines of whatever kind or quality were already found and as if they and the Lands and bounds where they ſhall be found were particularly condeſcended upon therein Whereanent and with all defects that can be objected againſt the ſame His Majeſty for him and his ſucceſsors has thereby Diſpenſed for ever And alſo with advice and conſent forſaid has Diſsolved from the Croun and patrimony thereof the ſaid mines minerals colours and mettals found or to be found within any part of the ſaid Lands and Earldom of Atholl and others generally above mentioned with all right and title thereof belonging or which can belong to

his Majeſtie and his ſucceſsors and has United and Incorporat the ſame to and with the ſaid Lands and Earldom and others above written promiſeing for the effect forſaid to cauſe Diſsolve the ſame in Parliament and conſent to a new Charter thereof if need beis in manner and with the priviledges above ſpecified And ordained that one ſeaſine then and in all time comeing to be taken at the mannor place of Blair in Atholl or upon the ground of any part of the ſaid lands Earldom and others generally above written ſhould and ſhall be ſufficient for the ſaid haill mines minerals colours and mettals within the bounds aboveſpecified notwithstanding they lye diſcontigue whereanent his Majeſtie by the ſaid Charter has diſpenſed for ever And farder with advice and conſent forſaid hath Ratified all and ſundry contracts bargains pactions and tranſactions made or to be made by the ſaid Marquis and his ſaid ſon and his forſaids concerning the ſaid mines minerals and others in the haill heads thereof diſpenſeing with the generality of the ſaid Confirmation To be holden all and ſundry the ſaid mines minerals colours and mettals above ſpecified to the ſaid Marquis in liferent and to his ſaid ſon and his forſaids in fie and heretage of his Majeſtie and his ſucceſsors for ever Giveing therefor yearly the ſaid Marquis his ſaid ſon and his forſaids to his Majeſtie and his ſucceſsors the tenth part of all the ſaid mines and minerals which ſhall be found and wrought within the bounds above mentioned (all expence of working being deduced in the firſt place) in name of few ferm at two terms in the year Whitſunday and Martinmaſs by equal portions and doubleing the ſaid few ferm the firſt year of the entry of every heir or heirs thereto as uſe is of few ferm and that for all other burden which can be ſought or required furth thereof And His Majestie for the reaſons and cauſes expreſt in the ſaid Charter has with conſent forſaid thereby Given Granted and Diſponed to the ſaid John Marquis of Atholl in liferent and to the ſaid John Earl of Tullibardine and his forſaids in fie heretably and irredeemably under and with the proviſions reſtrictions and limitations generally above mentioned all and haill the ſaid tenth part of the forſaid mines minerals colours and mettals found or to be found within the bounds of the ſaid Lands and Earldom of Atholl and others generally above expreſt due and payable to his Majeſtie and his ſucceſsors in manner forſaid togither with all right and intereſt which his Majeſtie and his forſaids had have or any wayes may have claim or pretend thereto or to any part thereof And has diſsolved the ſaid tenth part of the mines minerals and others forſaids and all title his Majeſtie has thereto from the Croun and patrimony thereof and has united the ſame to the ſaid Lands to remain therewith Ordaining one ſeaſine to be taken in manner and at the place forſaid to be ſufficient for the ſaid tenth part And alſo promiſed to Diſsolve the ſame in Parliament and to Ratifie the forſaid Charter thereof To be holden all and haill the ſaid haill mines mineralls colours and mettals found or to be found and wrought within any part of the lands Earldom and others particularly and generally above mentioned togither with the ſaid tenth part of the ſame and liberties immunities caſualities profites duties and pertinents thereof to the ſaid Marquis and his ſaid ſon and his forſaids in few ferm fie and heretadge for ever Giveing therefor yearly to His Majeſtie and his ſucceſsors the ſum of Twenty ſhilling uſual Scots money at two terms in the year Whitſunday and Martinmaſs by equal portions in name of few ferm And doubleing the ſaid few ferm the firſt year of the Entry of every heir thereto as uſe is and that in place of the tenth or any other part payable to his Majeſtie and his ſucceſsors furth of the ſaid mines minerals and others found or to be found within the bounds of the ſaid Lands Earldom and others particularly and generally above ſpecified by the Laws and practique of this Kingdom or any other way whatſomever For payment of which ſum of twenty ſhilling of few ferm yearly as is above ſpecified His Majeſtie with advice forſaid has by the ſaid Charter Altered Changed and Taxed in manner forſaid the Holding of all the ſaid mines minerals and others in all time comeing as the ſaid Charter bears Together with the precept of ſeaſine contained therein and Inſtrument of ſeaſine following thereupon in the haill heads articles and clauſes thereof And His Majeſtie and the ſaid Eſtates of Parliament do hereby Statute and Ordain that the forſaid Charter and Seaſine and this Ratification thereof ſhall be conform to the tenors of the ſame valid rights to the ſaid Marquis of Atholl and Earl of Tullibardine his ſon for poſſeſsing and enjoying the haill mines minerals colours and mettals above ſpecified without any ſtop or impediment and that the ſame ſhall never be quarrelled nor revocked by his Majeſtie nor his ſucceſsors And Wills and Declares this preſent Ratification to be as ſufficient as if every word of the ſaid Charter and Seaſine were inſert therein Dispenſeing hereby with the not inſerting thereof and with any other objections that can be proponed againſt the ſame & the ſaid Charter and Seaſine thereby Ratified.

RATIFICATION in favors of John Earl of Erroll of the Regality of Slains

OUR SOVERAIGN LORD with advice and 19
conſent of the Eſtates of this preſent Parliament Ratifies and Approves and for His Majeſtie and his ſucceſsors perpetually Confirms the Charter and Infeftment Granted by Our ſaid Sovereign Lord with advice and conſent of the Lords and others of His Majeſties Theſaury and Exchequer of the Kingdom of Scotland to His Majeſties right

truſtie and right well beloved Cuſing and Councillour John Earl of Erroll Lord Hay and Slains great Constable of the forſaid Kingdom and the heirs male and of tailzie ſucceeding to him in his dignity title and eſtate Which failzieing to his heirs male whatſomever Which failzieing to his heirs and aſsigneyes whatſomever heretably and irredeemably of all and ſundry the Lands Barronies and others underwritten viz. The Lands and Barony of Dalgetty with the corn and walk milns thereof woods peats moſses mariſhes tennents tennendries ſervice of free tennents and their haill pertinents lying within the ſherifdom of Aberdeen. As alſo all and haill the Lands and Barony of Udoch called Coupland Udoch comprehending therein the mains of Udoch mannor place of the ſame with the garden yeards orchyeards parks tofts crofts and their pertinents called over Hiltoun the Lands of Croſswoodhill otherwayes called Ledmore the Toun and Lands of Burnſide and Laverock hillock the ſunny half of the Lands of Greeneſs and the half of the Toun and Lands of Balquhynochie as the ſame is divided from the other half thereof ſometime pertaining to William Gordon together with the mill of Udoch milltoun aſtricted mill multures ſequells and knaveſhips of the ſaid Lands with all and ſundry their houſes biggings yeards crofts outſetts inſetts cottages parts and pendicles mariſhes meadows lizars commonty common paſturage tennents tennandries ſervice of free tennents and pertinents whatſomever with the ſuperiority of the ſhaddow half of the Lands of Ardin with the pertinents lying within the parochine of Turref and ſherifdom of Aberdeen forſaid And sicklike all and haill the Town and Lands of little Achray with the tower fortalice manner place and pertinents of the ſame the Town and Lands of Netherwoodhead Hairmoſs the ſhaddow half of the Lands of Greeneſs with the outſetts of little Achray called Teuchar and Grayſtone mill of Hairmoſs mill lands aſtricted multurs of the ſaid haill Lands with houſes biggings yeards tofts crofts tennents tennandries and ſervice of free tennents lying within the ſaid parochine of Turreff and ſherifdom of Aberdeen forſaid all formerly united in ane haill and free Barony called the Barony of Dalgetty As alſo all and haill the Lands of Kinmintie and Corſgeldie extending to four ploughs of land And sicklike all and haill theſe two ploughs of Dalgettie commonly called the old barn yeards of Dalgety with the miln thereof and with all and ſundry houſes biggings yeards tofts crofts outſetts annexis moſses muirs and pertinents thereof And sicklike all and haill the toun and Lands of Hiltoun of Aſhogill with houſes biggings yeards muirs moſses tofts crofts outſetts inſets annexis connexis dependencies parts pendicles and pertinents whatſomever uſed and wont lying within the paroch and ſherifdom forſaid And alse all and haill the Toun and Lands of Muiryfauld with houſes biggings yeards orchyeards muirs moſses meadows tofts crofts annexis connexis parts pendicles and pertinents thereof whatſomever lying within the parochine of and ſherifdom forſaid with the teinds parſonage and viccarage of the ſaid Lands of Muryfauld in ſo far as the ſamen pertained to the ſaid John Earl of Erroll as patron with parts pendicles and pertinents thereof lying within the ſaid ſherifdom of Aberdeen But alſo all and haill the corn mill of Dalgetie with the mill lands multures ſucken knaveſhips and ſequells belonging thereto with houſes biggings yeards parts pendicles and other pertinents of the ſamen which were all proper parts of the ſaid Barony of Dalgety lying within the ſamen and ſherifdom of Aberdeen forſaid And that for the principal And sicklike all and haill the Lands and others underwritten viz. the Lands and mains of Dalgettie with mannor place houſes biggings yeards orchyeards parts pendicles and pertinents thereof As alſo all and haill theſe two plough gates of land of Aſhogill ſometime poſſeſt by George Fordyce and which were wadſet to John Ogſtoun As alſo four ploughs of Land called the milne of Aſhogill the Lands of Urie and Whiteraſhes ſometime wadſet to Alexander Leſly of Balquhyn As alſo that plough of Land called Claymyres and ſometime wadſet to Sophia Hay and poſſeſt by her and the fourth part of the land called Skittertie poſſeſt by George Leſlie of Eden with houſes biggings yeards parts pendicles and pertinents of the haill wadſet lands reſpective abovementioned all lying within the ſherifdom of Aberdeen in ſpecial warrandice and ſecurity of the forſaid Lands of Hiltoun of Aſhogill Lands of Muryfauld teinds parſonadge and viccaradge of the ſaid Lands of Muryfauld and the ſaid corn mill of Dalgety with the mill lands multures ſucken knaveſhips and ſequells belonging thereto with houſes biggings yeards parts pendicles and their pertinents lying as ſaid is. And sicklike principally of all and haill the Lands mill lands ſalmond fiſhings and others underwritten viz. All and haill the eaſt plough of the Toun and Lands of Whiteraſhes ſometime poſſeſt by Thomas Simpſon the weſt plough of the Toun and Lands of Whiteraſhes ſometime poſſeſt by Patrick Reid the plough of the Lands of Wrae which were ſometime poſſeſt by John Simpſon the plough of Land of the Lands of Aſhogill ſometime poſſeſt by Walter Stevenſon with the mill multures teind ſhaves and parſonage teinds of the ſaid haill Lands in ſo far as Patrick Leſlie of Balquhyn now Count Leſlie had right to the ſamen teinds or in ſo far as they fell to the ſaid Earl of Erroll as patron And ſicklike the mill of Aſhogill mill lands aſtricted multurs ſequells ſucken thereof uſed and wont to wit all and ſundry their houſes biggings yeards orchyeards tofts crofts moſses muirs meadows annexis connexis dependencies tennents tennandries

ſervice of free tennents parts pendicles and pertinents of the ſaid Lands and mill whatſomever all lying within the parochine of Turref and ſherifdom of Aberdeen Together alſo with the ſalmond fiſhing upon the water of Devorn if it any have adjacent to the ſaid plough of land of Aſhogill and mill lands thereof lying as ſaid is And farder all and haill ane ãrent of fourty four pounds Scots money out of the Lands and Barony of Dalgetie And sicklike of all and ſundry the Lands of Seaſide Hauchmuir Leyes Roſs Chapplehill Polcalk and Caſsingray lying within the ſhires of Fyfe and Perth And in like manner all and haill the Toun and Lands of Rannieſtoun and mannor place thereof with the mill of Rannieſtoun mill lands and mill ploughs belonging thereto multures and ſequels of the ſamen Lands & pertinents uſed and wont with all and ſundry houſes biggings yeards tofts crofts outſetts inſetts commodities common paſture moſses muirs meadows tennents tennandries ſervice of free tennents parts pendicles and pertinents whatſomever lying within the parochine of Logie Buchan and ſherifdom of Aberdeen forſaid All which Lands formerly pertained heretably to George Hay of Muryfauld Sir David Hay of Auchquhairnie Patrick Count Leſlie Sir John Hay of Mury and John Gordon younger of Fechil conform to their reſpective intereſts therein particularly mentioned in the forſaid Charter Whereby His Majeſtie alſo Gives Grants and Diſpones to the ſaid John Earl of Erroll and his forſaids the Lands and Barony of Mountblair with houſses biggings yeards mills mill lands multures and ſequels of the ſamen tennents tennandries and ſervice of free tennents moſses muirs meadows parts pendicles and pertinents thereof whatſomever lying within the parochine of Alva and Forglen and ſherifdom of Bamf together with the teind ſhaves and other teinds parſonage and vicarage of the Lands Barony and others forſaid Which Charter contains a new Gift of the haill Lands Baronys and others above rehearſed in favors of the ſaid John Earl of Erroll and his forſaids With a diſsolution thereof from all ſherifdoms stewartries regalities lordſhips baronies and all other juriſdictions whereunto they formerly pertained or were annexed and an Union Erection and Incorporation thereof and of the Lordſhips Baronys and others aftermentioned pertaining in property and ſuperiority to the ſaid John Earl of Erroll viz. the Lordſhip and Barony of Slains comprehending the Lands and others pertaining to him in property within the parochins of Cruden and Slains as alſo the Lands of Liſk and Cairnhill lying within the parochin of Slains the lands of Airtrochies Tipartie and Taartie in the parochine of Logie the Lands of little Arnich in the parochine of Ellen the Lands of Pitmedden and mill of Torrie in the pariſh of Udnie the Lands of weſt Auchquharnie and Earlseat in the paroch of Cruden the Lands of Kinninmont the Lands of Haddo and Rattray in the pariſh of Crimond and ſherifdom of Aberdeen the Lands of Elſik in the pariſh of Fetteresso and ſherifdom of Kincardine the Lands and Barony of Eſsilmont comprehending the Lands of Corſtane Cairnhill Chappletoun of Eſsilmont little mill of Eſsilmont the mains of Eſsilmont tower fortalice and mannor place thereof the Lands of Bowhill Wowlaw Fortie and Grayfortie alias Fairlie & mill thereof with the ſalmond fiſhing upon the water of Aithen lying in the ſaid parochine of Ellen the Lands of Aberdour Ardlayhill Tulliquharnie the Mill of Aberdour Clenterty and Pennan all lying within the parochine of Aberdour and ſherifdom of Aberdeen All and haill the Lands and Barony of Crimond comprehending the mains and mill thereof the Lands of Crimond Park Blairmormonth Cariekempſie Tillikiris Crimont Haghills with the corn mill of the ſamen Crimond Gorth with the corn mill thereof Loch hills the Lands of Crimond Mogat with the corn and walk mills of the ſamen the Lands of Cairnlaſs Chanrie hill Cairnie Blairquhattan Berrie brae all lying within the parochins of Crimont and Long May reſpective And sicklike all and haill the Lands and Baronie of Ardindraught with all and ſundry caſtles tours fortalices mannor places houſes biggings yeards orchyeards mills woods fiſhings tennents tennandries ſervice of free tennents and haill pertinents of the Lands Lordſhips Barronies and others abovewritten in ane haill and free Regality with free Chappell and Chancellary and Juſticiary and with all & ſundry priviledges immunities caſualities profites and duties whatſomever pertaining thereunto sicklike and as freely as belongs to any other free Regality Chappell Chancellary and Juſticiary within the Kingdom of Scotland And His Majeſtie with conſent forſaid Gave Granted and Diſponed to the ſaid John Earl of Erroll and his forſaids heretably and irredeemably the ſaid new erected Regality of Slains and Juriſdiction of the ſame with Chappell and Chancellary and right and priviledge of Juſticiary and all other priviledges & caſualities of the ſaid new erected Regality and made and conſtitute him and his forſaids Lords of the ſaid Regality with full power to him or them by themſelves their Baillies and deputes for whom they ſhall be anſwerable to ſit fence keep and hold and as oft as need beis continue Courts within the ſaid Regality for adminiſtration of juſtice as well in civil as in criminal caſes and to make appoint and cauſe be ſworn clerks ſerjeants dempſters and all other officers and members of Court neceſsar and to give out precepts citations brieves and others in the ſaid Regality and cauſe the ſame be duly and lawfully proclaimed and ſerved and to call and conveen before them all and ſundry delinquents and felons and to judge and condemn them according to law and to amerciat abſents and uplift and

apply to their own proper uſe the fines & bloodwits and to repledge all and ſundry whatſomever perſons delinquents and other inhabitants and reſidenters within the bounds of the ſaid Regality from the Sherifs and other Judges of all ſherifdoms and other juriſdictions within which they ly and from all other Courts to which they ſhall be called and conveened and to do every other thing requiſite thereanent and to ſit as Judges in all actions as well civil as criminal (except the crimes of Læſe Majeſtie and treaſon) that ſhall happen within the ſaid Regality and to adminiſter juſtice therein as accords and to pronounce decreets and ſentences and to give out and cauſe put the ſame to due and lawfull Execution conform to the laws of the forſaid Kingdom of Scotland and to do every other thing within the bounds of the ſaid Regality as freely in all reſpects as any other Lord of a free Regality free Chappell and Chancellary and Juſticiary within the ſaid Kingdom does or may do by vertue of their rights and offices at any time bygone or to come And sicklike by the ſame Charter His Majeſtie Gave Granted and Diſponed to the ſaid John Earl of Erroll and his forſaids the right benefite and title of the ſimple Eſcheats of all and ſundry vaſsals and Inhabitants within the ſaid Regality as well vacant as which may happen to vaik in time comeing by reaſon of rebellion denunciation upon hornings deforcements breach of arrieſtments tranſportation of prohibite and uncuſtomed goods theft manſlaughter or be tranſgreſsing and contraveening of whatſomever Acts of Parliament Laws Statutes or Conſtitutions of the forſaid Kingdom or be reaſon of whatſomever crime or crimes (except the forſaid crimes of treaſon or Læſe Majeſtie) with full power to the ſaid John Earl of Erroll and his forſaids be themſelves their factors and donators and others in their names to intromet with uplift and receive the ſaid Eſcheat goods amerciaments and bloodwitts of the ſaid Courts and to arreiſt for the ſame and if need beis to poind and deſtreingie for payment thereof and to apply the ſame to their own proper uſe and profite Likeas the Meikletoun of Slains is appointed to be the head Burgh of the ſaid Regality wherein His Majeſtie appoints a Croſs to be erected and the Execution of all proclamations hornings inhibitions publications of Interdictions appriſeings adjudications brieves and others of whatſomever nature in ſo far as concerns their vaſsals Tennents and Inhabitants of the ſaid Regality and the Citeing of Tutors and Curators to be Execute at the ſaid Mercat Croſs and all ſervices of breives regiſtrations of hornings inhibitions publications of Interdictions and others within the ſaid Regality to be made and uſed at the ſaid Burgh as head Burgh of the Regality with an Erection of the ſaid Meikletoun of Slains in an free Burgh of Regality with all powers priviledges and immunities to be enjoyed therein that any other Burgh of Regality uſes or may uſe conform to the rights and Infeftments particularly with power to appoint Bailfies Clerks Officers and all other members of Court of the ſaid Regality and Barony and power to build a Croſs and to have a weekly mercat every Thurſday and two free fairs in the year each of them to continue for three dayes ſpace the firſt upon the day of and the next upon the day of without prejudice of any former fairs or mercats granted to the ſaid Toun And which Charter does likewayes contain an Erection Annexation and Incorporation of the haill Lands Baronies Lordſhips mills woods fiſhings patronages teinds and others above rehearſed with the forſaid Regality and Juſticiary free Chappell and Chancellary Burgh of Regality and ſea port caſtles touers fortalices tennents tennandries and ſervice of free tennents in ane haill and free Regality Lordſhip Earldom and Barony with free Chappell & Chancellary to be called the Regality Lordſhip and Barony of Slains and Earldom of Erroll and ordains the caſtle and mannor place of Slains to be the principal meſsuage thereof and one ſeaſine to be taken thereat to be ſufficient for the haill To be holden the forſaid Lands acquired from the ſaid Sir David Hay taxtward as they were formerly holden for payment of the Taxt duties mentioned in the Charter granted by King Charles the Second of bleſsed memory to the ſaid Sir David Hay in anno I^mo vj^c^ and ſeventy four And the Lands acquired from the ſaid Patrick Count Leſlie likewayes taxt ward for payment of an proportion of the taxt duties formerly payable by the ſaid Patrick Count Leſlie furth of the Lands and Barony of Balquhyne and which proportion is by the ſaid Charter Declared to be Twenty five merks Scots yearly dureing the time of the waird and nonentry with the like ſum of Twenty five merks for the relief and fifty merks money forſaid as an proportional part of five hundred merks for the marriage of the heirs and ſucceſsors of the ſaid John Earl of Erroll And for the haill remanent parts and portions of the Barony of Dalgety and Udoch not formerly Changed from ſimple waird to taxt waird the taxt duties aftermentioned viz. for the ſaid Lands of Dalgetie and Udoch and Lands and Barony of Mountblairie the ſum of ane hundred and fifty pounds Scots money whereof one hundred pounds for the Lands and Barony of Dalgetie and Udoch which was not formerly Changed and fifty pounds money forſaid for the Lands and Barony of Mountblairie with the like ſum of one hundred and fifty pounds for the relief and three hundred pounds money forſaid for the marriage of the heirs and ſucceſsors of the ſaid John Earl of Erroll And for the forſaid Lands of Seaſide Auchmuir and remanent Lands above rehearſed acquired from the ſaid Sir John Hay an proportional part of the taxt duty of the waird relief nonentry and marriage formerly payable by

the ſaid Sir John Hay out of the Lands and Barony of Mury conform to an Charter granted by King Charles the Second of bleſsed memory to the ſaid Sir John Hay upon the tenth day of March I^m vj^c^ and ſeventy nine And for the forſaid Lands mill and mill lands of Raniſtoun the taxt duties that were formerly payable furth thereof be John Gordon younger of Fechill conform to an Charter under the Great ſeal dated the ſeventh day of February I^m vj^c^ and ſeventy ſeven and for the forſaid Juriſdiction of Regality and Juſticiary free Chappell and Chancellary Burgh of Regality fairs mercats cuſtomes and others abovedisponed the due adminiſtration of Juſtice in theſe offices and ſix pennies money forſaid at the feaſt of Whitſunday upon the ground of the Lands and Barony of Slains if it be aſked as the ſaid Charter dated at Kenſingtoun the twenty ninth day of March one thouſand ſix hundred and ninety nine years bears, Together with the Precept of Seaſine inſert in the ſaid Charter and Inſtrument of Seaſine following thereupon in all and ſundry heads points articles circumſtances and conditions contained in the ſaid Charter and Seaſine and after the form and tenor thereof in all points And His Majeſtie with advice and conſent of the Eſtates of this preſent Parliament Statutes and Ordains the forſaid Charter containing a new Gift erection in a Regality and Juſticiary with Chappell Chancellary and free Burgh of Regality and the Change of the Holding abovementioned with the Inſtrument of Seaſine following thereupon to ſtand and ſubſiſt and to be good valid and ſufficient to the ſaid John Earl of Erroll and his forſaids in ſo far as concerns the intereſt of his Majeſtie and his Royal ſucceſsors Kings of Scotland and that the ſaid Erection Change of holding and new gift ſhall be no wayes prejudicial to the ſaid John Earl of Erroll his infeftments and ſecurities of the lands and others above rehearſed and ſhall never be revocked nor quarrelled be his Majeſtie nor his ſucceſsors in time comeing And alſo Our ſaid Soveraign Lord with advice and conſent forſaid Wills and Grants and for his Majeſtie and his ſucceſsors Decerns and Ordains this preſent Ratification to be as valid ſufficient and effectual to the ſaid John Earl of Erroll and his forſaids as if the ſaid Charter Precept and Inſtrument of ſeaſine following thereupon were herein at length de verbo in verbum ſpecially inſert and ingroſsed and that the forſaid Regality and Juſticiary ſhall be as valid and effectual as if the ſame had been granted by decreet and deliverance of Parliament prior to the ſaid Charter whereanent his Majeſtie with advice and conſent forſaid for himſelfe and his Royal ſucceſsors hath diſpenſed and by thir preſents diſpenſes for ever.

RATIFICATION in favors of William Earl of March diſsolving from the Crown the Minerals within the Lordſhip of Neidpeth, and of the Lands of Glenrath

OUR SOVERAIGN LORD and Eſtates of Parliament of his Majeſties ancient Kingdom of Scotland by theſe preſents Ratifie Approve and Confirm ane Gift and Charter Granted by His Majeſtie under his Royal hand and great ſeal of this Kingdom in favors of William Earl of March therein deſigned Lord William Douglas second lawfull ſon to umquhile William Duke of Queenſberry and his heirs male and of tailzie contained in the Charters and Infeftments of the Lands and Lordſhip of Neidpath and his other heirs and aſsigneyes whatſomever with and under the proviſions conditions reſtrictions limitations and clauſes irritant contained in the ſaid Charters and Infeftments, of the date at Kensingtoun the twenty day of April I^m vj^c^ and ninety ſeven years By vertue whereof His Majeſtie with advice and conſent of the Lords and others Commiſsioners of His Majeſties Theſaury and Exchequer of the ſaid Kingdom Gave Granted and Diſponed and for ever Confirmed to the ſaid William Earl of March and his forſaids all and sundry mines of gold ſilver lead tin copper and all other minerals and mettals of whatſomever kind matter or quality already found or which ſhall be found in any time comeing within the haill bounds of the ſaid Lands and Lordſhip of Neidpath comprehending the Lands Lordſhip and Barony of Lintoun and Newlands and others contained in the ſaid Charters and Infeftments and of all other Lands pertaining to the ſaid William Earl of March within the ſherifdom of Tweeddale togither with all right title and intereſt whatſomever which his Majeſtie or his highneſses ſucceſsors had have or any wayes may have claim or pretend thereto or any part or portion thereof by whatſoever manner of way right or title with full power to the ſaid William Earl of March and his forſaids of digging winning ſearching and finding out the ſaid mines minerals and mettalls of whatſomever nature or quality they be of within whatſomever part or portion of the ſaid Lands and Lordſhip of Neidpath comprehending the ſaid Lands Lordſhip and Barony of Lintoun and Newlands and others abovewritten and to that effect with power to him and his forſaids of digging winning and working pits plains vaults and ſinks within whatſoever part of the bounds thereof for finding out winning and working the ſamen and of doing uſeing and exerceing the ſame as it ſhould be thought fit and expedient to the ſaid William Earl of March and his forſaids and of uſeing and diſpoſeing upon the ſaid mines minerals and mettals of whatſomever nature or quality

to his own uſe at his pleaſure with the haill profites and commodities thereof As also with power and liberty to the ſaid William Earl of March and his forſaids of melting fining and refineing the ſaid mettals and of tranſporting the ſamen over ſea (except gold and ſilver by the Laws of the Kingdom diſcharged to be exported) and generally with all and ſundry other liberties priviledges and immunities whatſomever which are known to pertain and belong to any other mines and the workers thereof by the Laws and practique of this Kingdom And His Majeſtie with conſent forſaid Willed and Granted and for his Majeſtie and his ſucceſsors forſaids Decerned and Ordained that the ſaid Charter of the forſaid mines minerals and mettals already found out or to be found out in time comeing within any part of the ſaid Lands and Lordſhip of Neidpath and other Lands whatſomever pertaining to the ſaid William Earl of March was and ſhould be valid and ſufficient to the ſaid William Earl of March and his forſaids so as if the ſaid mines and Lands and bounds where the ſamen are or ſhould be found out were expreſsed in the ſaid Charter Whereanent and with all other defects and imperfections which may be moved and objected againſt the ſaid Charter His Majeſtie for himſelf and his highneſs ſucceſsors has diſpenſed for ever And His Majestie with advice and conſent forſaid Diſsolved the ſaid haill mines minerals and mettals already found or to be found in time comeing within any part of the ſaid Lands and Lordſhip of Neidpath and others abovewritten with all right and title whatſomever competent to his Majeſtie and his highneſs Succeſsors and belonging to them any manner of way from His Majeſties Croun and patrimony thereof and united annexed and incorporat the ſame to the ſaid Lands and Lordſhip of Neidpath and other Lands abovewritten to the effect the ſame may remain and abide with the ſaid William Earl of March and his forſaids to be poſſeſsed enjoyed wrought and diſpoſed upon by him and his forſaids well and in peace heretably and irredeemably at his pleaſure in all time comeing and promiſed on the word of a Prince to Diſsolve the ſaid mines minerals and mettals from his Majeſties Croun in manner and to the effect abovementioned in the current or ſubſequent Parliament to be holden within the ſaid Kingdom of Scotland and being ſo diſsolved in Parliament to Grant a new Charter thereof if neid beis in manner and with the priviledges and immunities abovementioned with Diſpenſation for takeing ſeaſine at the touer fortalice and mannor place of Neidpath for the haill mines minerals and mettals abovewritten Morover His Majeſtie with advice and conſent forſaid Ratified and Approved all Contracts and Bargains made or to be made betwixt the ſaid William Earl of March and whatſoever perſon or perſons relating to the ſaid mines and minerals in the haill heads articles clauſes and conditions thereof To be Holden all and ſundry the ſaid mines of gold ſilver tin lead copper and other minerals and mettalls whatſomever already found or to be found in time comeing and all right and title thereof to the ſaid William Earl of March and his forſaids of our ſaid Sovereign Lord and his highneſs ſucceſsors in fie and heretadge for ever Giveing therefor yearly the ſaid William Earl of March and his forſaids to His Majeſtie and his Highneſs forſaids the tenth part of the haill mines and mettals abovewritten which ſhall be digged & wrought within the Lands Lordſhip and others abovewritten all dues and expences being firſt deduced in name of few ferm at two terms in the year Whitſunday and Martinmaſs in winter by equal portions and Doubleing the ſaid few ferm the firſt years entry of ilk heir thereto as uſe is of few ferm for all other burden &c. And Our said Sovereign Lord Considering that if the ſaid tenth part of the ſaid mines and minerals were converted and changed to a conſtant certain yearly few duty the ſame not only will be moſt certain to His Majeſtie and his highneſs forſaids and a conſtant duty becauſe the working and fineing thereof is moſt expenſive and uncertain But alſo the changeing and taxing of the ſaid tenth part to a certain and conſtant duty would much induce and encourage the ſearching and working of the ſaid mines minerals and mettals in time comeing whereby his Majeſties ſaid ancient Kingdom might be enriched and the Commerce thereof advanced Therefore and for the many good faithfull and thankfull ſervices done and performed by the ſaid William Earl of March and his predeceſsors to His Majeſtie and his Highneſs predeceſsors and for ane certain ſum of money payed by the ſaid William Earl of March to the Lords Commiſsioners of his Majeſties Theſaury for his Majeſties uſe for changeing and taxing the ſaid tenth part to the conſtant and certain few duty underwritten Our ſaid Soveraign Lord of certain knowledge and proper motive with advice and conſent forſaid Gave Granted and Diſponed to the ſaid William Earl of March and his forſaids all and haill the ſaid tenth part of the ſaid mines minerals and mettals already found or to be found and wrought in time comeing within the haill bounds of the ſaid Lands Lordſhip and others abovewritten due and payable to his Majeſtie and his highneſs forſaids in manner abovementioned with all right title and intereſt whatſomever which His Majeſtie and his highneſs forſaids had have or any wayes may have claim or pretend thereto or any part thereof by whatſoever manner of way right or title And His Majeſtie Diſsolved the ſaid tenth part with all right title and intereſt thereto from his Majeſties Croun and patrimony thereof and Annexed United and Incorporated the ſamen in and to the ſaid Lands and Lordſhip of Neidpath and others abovementioned to remain and

abide with the ſamen and to be peaceably brooked and poſſeſſed as part and pertinent therof in all time comeing with a diſpenſation anent ſeaſine to be taken in manner and at the place abovewritten and promiſed on the word of a Prince to diſſolve the ſame in Parliament in manner abovewritten and to Ratifie the ſaid Charter therein To be holden all and haill the ſaid tenth part of the ſaid mines minerals and mettals already found or to be found and wrought within the bounds forſaid to the ſaid William Earl of March and his forſaids in fie and heretadge for ever of our ſaid Sovereign Lord and his highneſs forſaids immediat lawful ſuperiors thereof Giveing therefor yearly the ſaid William Earl of March and his forſaids to our ſaid Sovereign Lord and his Highneſs forſaids the ſum of Ten merks Scots money at two terms in the year Whitſunday and Martinmaſs in winter be equal portions in name of few ferm duty And doubleing the ſaid few ferm duty the firſt years entry of ilk heir thereto as uſe of few ferm is allennarly for all other burden and that in lieu and place of the ſaid tenth part or of whatſomever other part of the ſaid mines and minerals due and payable to his Majeſtie and his highneſs forſaids by the Laws and practique of the ſaid Kingdom or any other manner of way or right To which manner of holding and for payment of the ſaid ten merks money forſaid in name of few ferm yearly in manner and at the terms forſaid His Majeſtie with advice and conſent forſaid for certain knowledge and proper motive Altered Innovat and Taxed the ſaid tenth part of the ſaid mines and minerals in all time comeing Togither with the precept of ſeaſine contained in the ſaid Charter and Inſtrument of ſeaſine following thereupon of the date the firſt day of October I^m^ vj^c^ and ninety ſeven years under the ſign and ſubſcription of William Alves notar publict registrat in the General Regiſter of ſeaſines at Edinburgh the fourteenth of October forſaid Item ane other Charter granted by our ſaid Sovereign Lord under his Royal hand and great ſeal of the ſaid Kingdom in favors of the ſaid William Earl of March of the date at Kenſingtoun the firſt day of February I^m^ vj^c^ and ninety eight years By vertue whereof Our ſaid Sovereign Lord with advice and conſent of the Lords and others Commiſsioners of his Majeſties Theſaury and Exchequer of the ſaid Kingdom Gave Granted Diſponed and for his Majeſtie and his highneſs ſucceſsors perpetually Confirmed to and in favors of the ſaid William Earl of March his heirs and aſsigneyes whatſomever heretably and irredeemably all and ſundry the Lands ſuperiorities and others reſpective underwritten viz. All and haill the two merk and half merk land of eaſter Glenrath with the tower fortalice houſes biggings yeards muirs mariſhes and pertinents thereof and alſo the fourth part of the Lands of nether Glenrath with houſes biggings muirs mariſhes and pendicles and pertinents thereof ſometime pertaining to umq^t^ John Wightman And likewayes all and haill the fourth part of the Lands of Glenrath with houſes biggings yeards parts pendicles and pertinents thereof which formerly pertained to John Philp portioner of Glenrath And ſicklike the Lands of Glenrath commonly called Corſarlands with the houſes biggings and pertinents thereof All which Lands and others abovewritten are proper pairts and pertinents of the lands of Hundleſhope and ly within the parochine of Manner and ſherifdom of Peibles the property whereof pertained properly to umq^t^ Sir John Veatch of Dauick together with the haill Lands and ſuperiority thereof reſpective which formerly pertained to John Scot of Hundleſhope and were ſold and diſponed by him with advice and conſent of umq^t^ John Lord Lintoun in favors of the ſaid umq^t^ Sir John Veatch of Dauick his heirs and aſsigneyes heretably and irredeemably conform to the diſpoſition thereof in which the ſaid Lands are called the Lands of nether Glenrath comprehending the Lands and others abovementioned of the date the ſixteenth day of February and ſixth day of March I^m^ vj^c^ and ſixty ſix years And likewayes all and haill the Lands of over Glenrath with houſes biggings muirs mariſhes and pertinents thereof as they were poſſeſt by the ſaid umq^t^ Sir John Veatch lying within the Barony of Poſso and ſherifdom of Peibles pertaining in property to the ſaid umq^t^ Sir John Veitch And alſo all and haill the ſuperiority and property of Glenrathneſs with houſes biggings and pertinents thereof lying as ſaid is as for the principall and in ſpecial warrandice thereof All and haill the ſaid Sir John and John Veatches their Lands of eaſter Dauick with houſes biggings and pertinents thereof lying within the ſaid parochine of Maner and ſherifdom of Peibles Which Charter contains a new Gift of the premiſses To be holden all and haill the Lands ſuperiority and others abovementioned with the pertinents abovewritten lying as ſaid is of our ſaid Sovereign Lord and his highneſs ſucceſsors immediat lawful ſuperiors thereof Giveing therefor yearly the ſaid William Earl of March and his forſaids to our ſaid Sovereign Lord and his highneſs's forſaids And alſo for ſeveral other Lands contained in the ſaid Charter the Taxt duties of waird nonentry relief and marriage underwritten viz. dureing the haill ſpace and time of the Waird and nonentry reſpective how oft and whenſoever the ſamen ſhall happen in all time comeing the ſum of one hundred merks Scots money With the like ſum of one hundred merks money forſaid for the relief thereof how oft and whenſoever the ſamen ſhall happen Together with the ſum of two hundred merks money forſaid for the marriage of the ſaid William Earl of March his heirs and ſucceſsors how oft and whenſoever the ſamen ſhall happen to fall To which ſums of

money abovewritten in name of Taxt duty for the waird nonentry releif and marriage of the ſaid Lands and others abovewritten Our ſaid Soveraign Lord with advice and conſent forſaid of certain knowledge and proper motive by the ſaid Charter Taxed the ſaid waird nonentry relief and marriage of the Lands and others abovewritten how oft and whenſoever the ſamen ſhould happen to fall in time comeing Together with the precept of ſeaſine contained in the ſaid Charter and Inſtrument of ſeaſine following thereupon dated the ſeventh day of June I^m vj^c^ and ninety eight years under the ſigne and ſubſcription of William Alves notar publict Regiſtrat in the General regiſter of ſeaſines at Edinburgh upon the twenty ſecond day of June forſaid in all and ſundry heads articles clauſes conditions and circumſtances therof after the form and tenor of the ſamen in all points Attour Our ſaid Soveraign Lord and Eſtates of Parliament by thir preſents Will and Grant Decern and Ordain this preſent Ratification to be as good valid and ſufficient and of as much force ſtrength and effect to the ſaid William Earl of March and his forſaid as if the forſaid Two Charters precepts of ſeaſine therein contained and Inſtruments of ſeaſine following thereupon were word by word inſert hereintil Whereanent and with all other defects and imperfections that may be moved or objected thereagainſt or againſt this preſent ratification thereof His Matie and Eſtates of Parliament forſaid have diſpenſed and hereby diſpenſe for ever Morover Our ſaid Soveraign Lord and Eſtates of Parliament for the reaſons and cauſes abovewritten contained in the ſaid Charter have Diſſolved and hereby Diſſolve the ſaid haill mines minerals and mettals already found or to be found in time comeing within any part of the ſaids Lands and Lordſhip of Neidpath and others abovewritten with all right and title whatſomever pertaining to his Majeſtie and his highneſs's ſucceſſors And ſicklike all and haill the ſaid Tenth part of the ſaid mines minerals and mettals found or to be found and wrought within the bounds forſaid with all right and title which his Majeſtie has or may pretend thereto from his Majeſties Croun and patrimony thereof and have united annexed and incorporat and hereby annex and incorporat the ſamen in and to the ſaids Lands and Lordſhip of Neidpath and others abovementioned to remain and abide therewith and to be peaceably bruiked enjoyed and poſſeſſed by the ſaid William Earl of March and his forſaids as part and pertinent of the ſamen Lands and others abovewritten for payment to his Majeſtie and his highneſs forſaids of the ſaid ſum of ten merks yearly at the ſaid terms of Whitſunday and Martinmaſs by equal portions in name of few ferm duty and doubleing the ſaid few ferm duty the firſt years entry of ilk heir thereto as uſe of few ferm is allennarly.

RATIFICATION in favors of Sir Hugh Dalrymple of Northberwick of the Lands & Barony of Northberwick

OUR SOVERAIGN LORD and the Eſtates of 21
Parliament of this his ancient Kingdom of Scotland have Ratified Approven and Confirmed and by thir preſents Ratifie Approve and Confirm an Charter of the date at Hamptoun Court the twenty fifth day of April I^m^ and vij^xx^ years Granted by his Majeſtie with the ſpecial advice and conſent of the Lords and others Commiſsioners of his highneſs Theſaury and Exchequer and paſt and expede under the great ſeal of this Kingdom By which Charter his Majeſtie with advice and conſent forſaid has Given Granted and Diſponed and for him and his ſucceſsors perpetually Confirmed to his well beloved Councillour Sir Hugh Dalrymple of Northberwick Preſident of the Colledge of Juſtice in liferent and to Robert Dalrymple his eldeſt lawfull ſon and the heirs male lawfully to be procreat of his body Which failzieing to Hugh Dalrymple his ſecond lawful ſon and the heirs male lawfully to be procreat of his body Which failzieing to John Dalrymple his third lawfull ſon and the heirs male lawfully to be procreat of his body Which failzieing to William Dalrymple his fourth lawfull ſon and the heirs male lawfully to be procreat of his body Which failzieing to James Dalrymple his fifth lawfull ſon and the heirs male lawfully to be procreat of his body Which all failzieing to the ſaid Sir Hugh Dalrymple his neareſt heirs and aſsigneyes whatſomever in ſie the eldeſt heir female and the deſcendents of her body excludeing all heirs portioners and ſucceeding allwayes without diviſion All and haill the Lands and Barony of Northberwick comprehending the lands mills teinds patronages and others underwritten to wit all and haill the dominical Lands of Northberwick with the Lands called Fairmelands or Farmeackers of old poſſeſt by Robert Lauder of Baſs and his ſubtennents with the cunninghar lands commonly called the links of the ſamine lying betwixt the ſaid dominical lands and the ſea extending the ſaid dominical lands ackers and links in the haill to fifeteen huſband lands lying betwixt the Lands of Heugh on the eaſt and ſouth parts the Lands of Hayfield Williamſtoun and the Lands of Ferriegate on the weſt and ſouth parts and the lands belonging to umq^ll^ Mr Alexander Wood and the ſea on the north part And all and haill the weſt part of the ſaid Toun of Northberwick called Nungate lying on the weſt ſide of the burn called Clartieburn As alſo the Ille & burial place within the Church of Northberwick which belonged to the Barons of Northberwick together with the haill fiſhings of Northberwick and teinds of fiſhes of the haill port of the ſame

with all and ſundry houſes biggings yeards orchyeards doucats tennandries muirs mariſhes meadows annexis connexis parts pendicles and pertinents of the ſaid Lands And likewayes all and haill the place where the Church and Cloiſter of the Monaſterie of Northberwick was formerly ſituat And all and haill the manſion called Newwark with houſes and biggings of the ſaid Monaſtery of Northberwick dovecoats yeards orchyeards parts pendicles and pertinents of the ſame And alſo all and haill the Lands of Heugh extending to twenty three huſband lands and an half huſband land with the north meadow and Law of the ſame lying at the eaſt part of the Lands of Thomptallon beginning at the ſea and aſcending eaſtward as the marches of Thomptallon go and from thence ſouthward and eaſtward as the lands of Leuchin leadeth and from thence ſouthward as the marches of Balgone goeth and from thence weſtward as the lands of Hayfield do lead and from thence northward and weſtward as the Lands of Hardings goes and from thence northward as the ſtank of the meadow with the eaſt ditch of Fermackers do go and from thence downward by the weſt ſide of the mill dam to the ſea And the ſaid Lands of Heugh comprehends the particular lands and others underwritten to wit the Lands of Rods Wamphray Rottenraw and Painſlaw Bonnington or Greenſide Northberwick-law Law-meadow Mills of Kinkeath with multurs mill-braes and watter-paſsages crofts and links of the ſame the Lands of Horſecruick the Lands of Puntoun Myrefield and Slingaback Puntoun rig and Puntoun myre And ſicklike the Iſle called Langbellum All and haill the Corn mill called the over mill of Lintoun upon the watter of Tayne with mill lands multurs ſucken and knaveſhip of the ſamen Togither with all and ſundry houſes yeards orchyeards outſets inſets tofts crofts annexis connexis parts pendicles and pertinents thereof Together alſo with the haill teinds parſonadge and viccarage of the paroch Church and parochine of Northberwick inſeperably annexed to the ſaid Lands and Barony of Northberwick And alſo with advocation donation and right of patronage of the ſaid paroch kirk of Northberwick and Chaplanries or alterages called Lady alter Rud alter and Saint Sebaſtians alter As alſo all and haill two huſband Lands in Beinſtoun with the pertinents Which haill Lands of Northberwick Heugh and others abovewritten lyes within the ſherifdom of Edinburgh and conſtabulary of Haddingtoun And ſicklike all and ſundry the Lands of Grange of Breich with the manſion and other houſes biggings yeards parts pendicles and pertinents of the ſame lying within the parochine of Calder and ſherifdom of Edinburgh And alſo all and haill the Lands of Monthryve the Lands of Aithernie the Lands of Grange with all and ſundry houſes biggings yeards parts pendicles and pertinents of the ſamen lying within the parochine of and ſherifdom of Fife And alſo all and haill the Lands of Thomptallon with the caſtle touer fortalice mills multures woods fiſhings tennents tennandries ſervice of free tennents thereof and all their parts pendicles and pertiments And ſpecially the Lands and ground underwritten which are proper parts and pendicles of the ſaids lands of Thomptallon to wit the lands of Caſtletoun Partounfure park and Baillie dykes the links and Lauders houſe with two aikers in Broomhaugh the aikers of land called Seamans aikers the lands of Blackdykes Halflin Barns Hairlaws Little Bonningtoun Reidſide and the lands and aikers of Little Oldham with three aikers of land ſometime poſſeſt by Mr Archbald Fergusone Which haill particular Lands and Grounds are proper parts and pendicles of the ſaid Lands of Thomptallon comprehended under the general deſignation thereof and were ſo poſſeſt by James Marques of Douglaſs and his predeceſſors and authors and all lying within the ſherifdom of Edinburgh and Conſtabulary of Hadingtoun Togither with all and ſundry mines of gold ſilver and other mettals and minerals within the ſaid Lands of Thomptallon or any part thereof And in like manner all and haill the ſix merk land of the dominical lands or maines of Corſwall And likewayes all and haill the three merk land of Northcairn with the caſtle touer fortalice mannor place houſes biggings yeards orchyeards dovecoats fiſhings parts pendicles and pertinents of the ſamen with the cornmill of Portmillen mill lands aſtricted multures and ſequells of the ſame Togither with an yearly annual rent of ten bolls of Corn yearly to be uplifted and taken furth of the Twenty ſhilling lands of Auchleach all lying within the parochine of Kirkcum Barony of Corſewell and ſherifdom of Wigtoun And ſicklike all and haill eleven huſband lands in Fernierig and one huſband land lying within the toun and territory of Brighame called Long Brighame with manner places houſes biggings yeards orchyeards parts pendicles and pertinents of the ſaid lands all lying within the parochine of Eccles and ſherifdom of Berwick with the teinds parſonage and viccarage of all and ſundry the Lands abovewritten with and under the expreſs proviſions reſtrictions and conditions underwritten which are by the ſaid Charter appointed to be contained in the infeftments and other rights and ſecurities to follow thereupon viz. with this proviſion allwayes that the ſaid heirs female and their huſbands ſucceeding to the ſaid Lands Barony and others abovewritten by vertue of the deſtination aboveſpecified and the deſcendents of their bodies ſhall be allwayes holden and oblidged after their ſucceſsion to the ſaid Lands to aſsume and bear the ſirname and arms of the ſaid Sir Hugh Dalrymple his familie as the ſamen ſhall be carried and deſigned at his death with this proviſion alſo that it ſhall be lawfull to the ſaid

Sir Hugh dureing all the dayes of his lifetime in health or ſickneſs etiamſi in articulo mortis to Alienat or Diſpone the haill Lands Baronies and others abovewritten or any part or portion of the ſamen to any perſon or perſons he ſhall think fit and convenient or to burden affect and wadſet the ſame for ſuch ſums of money as he ſhall think expedient and that without the advice and conſent of the ſaid Robert Dalrymple his eldeſt lawfull ſon or the other heirs of tailzie abovewritten as freely and in the ſame manner as if their names had never been inſert in the ſaid Charter or any other Writs to follow thereupon With this proviſion alſo that it ſhall be lawfull to the ſaid Sir Hugh Dalrymple to Diſpone and Alienat redeemably or irredeemably to any perſon or perſons whatſomever the haill Lands Baronies and others abovewritten or any part of the ſamen or to alter or innovat the forſaid order of ſucceſsion or Reſigne the ſamen of new for new infeftment thereof to be made and granted in favors of himſelfe or ſuch heirs of tailzie as he ſhall think convenient and that as fully and freely in all reſpects and conditions as if the ſaid Charter had never been made nor granted Provideing likewayes that the ſaid Robert Dalrymple and the other heirs of tailzie abovewritten whenſoever they ſhall ſucceed to the Lands Baronies and others abovewritten they ſhall be lyable and bound to pay all the debts and fulfill all the engagements and oblidgements for which the ſaid Sir Hugh Dalrymple preſently is or hereafter in any time dureing his lifetime ſhall be bound and oblidged to any perſon or perſons whatſomever and ſpecially but prejudice of the generality forſaid the ſaid Robert and the other heirs of tailzie abovementioned ſhall be bound and oblidged by the acceptation of the forſaid tailzie to pay all proviſions made or granted or which hereafter ſhall happen to be made or granted by the ſaid Sir Hugh Dalrymple in favors of Dame Marion Hamilton his well beloved ſpouſe and his other children at any time dureing his lifetime etiamſi in articulo mortis Reſerveing allwayes in like manner to the ſaid Dame Marion Hamilton her liferent right of the haill Lands of Thomptallon abovewritten excepting the Lands of Reidſide and Little Oldham with the burdens of which proviſions and liferent the ſaid Charter is expreſsly made and granted Which Charter proceeds upon the Reſignation of him the ſaid Sir Hugh Dalrymple to whom the ſaid haill Lands Barony mills and others abovewritten formerly belonged and to whom the ſaid Lands and Barony of Northberwick and Lands of Heugh comprehending the particular Lands and others above & therein ſpecified are alſo convoyed by vertue of the decreets of ſale diſpoſitions and other writs mentioned therein Upon which Decreets and other writs the ſaid Charter ſo far as concerns the ſaid Lands and Barony of Northberwick and Lands of Heugh comprehending as ſaid is does alſo proceed in manner at length mentioned in the ſame Whereby alſo Our ſaid Soveraign with advice and conſent forſaid does Seperat and Diſjoyne the ſaid Lands of Northberwick Heugh and Thomptallon comprehending as above from all and ſundry other Baronies Lands Lordſhips and others to which the ſamen or any part thereof were united at any time before the date of the ſaid Charter And moreover does of new Unite Annex Creat and Incorporat all and haill the ſaids Lands and Barony of Northberwick Lands of Heugh and Thomptallon comprehending the particular Lands milns and others abovewritten lying within the parochine of Northberwick Conſtabulary of Haddingtoun and ſherifdom of Edinburgh forſaid with all parts pendicles and pertinents of the ſamen lands above expreſt in one haill and free Barony to be now and in all time comeing called the Barony of Northberwick And Our ſaid Soveraign Lord by the ſamen Charter Wills and Grants and for him and his highneſs ſucceſsors Decerns and Ordains that ane ſeaſine now and in all time comeing to be taken by the ſaid Sir Hugh Dalrymple and his heirs of tailzie and proviſion abovewritten at the manner place of Northberwick or at Caſtletoun or upon any part or portion of the ſaid Lands ſo erected ſhall be a valid and ſufficient ſeaſine for the ſaid haill Lands and Barony and for every part pendicle and pertinent of the ſamen notwithſtanding the ſaid Lands are of diverſe names and deſignations wherewith & with all that may be objected againſt the validity and ſufficiency of the forſaid ſeaſine His Majeſtie by the ſaid Charter diſpenſes for ever And farder has thereby with conſent forſaid for the Cauſes therein expreſt of new Given Granted and Diſponed and for him and his ſucceſsors perpetually Confirmed to the ſaid Sir Hugh Dalrymple in liferent and to the ſaid Robert Dalrymple his eldeſt lawfull ſon and the other heirs of tailzie and proviſion abovewritten in fie heretably and irredeemably with and under the reſervations proviſions and conditions abovewritten made and granted in favors of the ſaid Sir Hugh Dalrymple his ſpouſe children and creditors All and haill the ſaid Lands and Barony of Northberwick the Lands of Heugh and Thomptallon Corſwall Fairnierig and all the other Lands mills teinds patronages mines and others particularly abovementioned lying and bounded in manner above expreſt and the haill parts pendicles and pertinents thereof aboveſpecified with all right title intereſt claim of right property and poſſeſsion petitor and poſſeſsor which his Majeſtie and his Royal predeceſsors and ſucceſsors had has or any wayes may have claim or pretend to the Lands Barony mines mills and others above expreſt with the pertinents or any part thereof or to the maills & duties of the ſamen of whatever years and terms bygone and to come by reaſon of waird relief non-

entry marriage ſingle and double avail thereof eſcheat forefaulture diſclamation purpreſture baſtardie as laſt heir recognition want of timeous Confirmation or by whatever Laws Acts of Parliament or other rights or for whatever cauſes crimes or occaſions bygone preceeding the date of the ſaid Charter Renunceing thereby and overgiveing the ſame and all action competent thereon in favors of the ſaid Sir Hugh and his forſaids for ever in manner more fully therein contained To be holden of His Majeſtie for paying yearly for the ſaid Lands of Northberwick Heugh and all the other Lands mills mines and others forſaid which are not holden in taxt ward in manner underwritten the particular few blench and other duties expreſt in the ſaid Charter And for the ſaid Lands of Thomptallon holden taxt ward and comprehending as above with the caſtle touer fortalice mills and pertinents thereof forſaid the ſum of ten merks Scots yearly dureing the ward and nonentry To which ſum the ſaid ward and nonentry were formerly taxed in manner mentioned in the ſamen Charter with the ſum of five hundred merks for the marriage of the heir allennarly Which ſum is declared to be a proportional part of four thouſand merks appointed to be payed as the taxed marriage for the ſaid Lands of Thomptallon and the Lands Lordſhips and Baronies of Douglas and Crauford Douglas alias Crauford Lindſay in manner fully ſpecified therein And for the ſaid six merk land or maines of Corſwall the three merk land of Northcairn and mill of Portmillen with the pertinents the ſum of twenty pounds Scots money yearly dureing the ward and nonentry or either of them at two terms in the year Whitſunday and Martinmaſs by equal portions and fourty pounds money forſaid for the marriage of the heir or heirs when the ſamen ſhall happen To which particular ſums for the ſaid waird nonentry relief and marriage of the ſaid Lands mill annuelrent and others forſaid the ſamen were alſo formerly Taxed as is fully mentioned in the ſaid Charter For payment of which ſums Our ſaid Sovereign Lord with conſent forſaid has by the Charter hereby Ratified for him and his Royal ſucceſsors Given Granted and Diſponed to the heirs of tailzie and proviſion of the ſaid Sir Hugh Dalrymple and his forſaids all and haill the Caſualities of waird nonentry & relief of the ſaid Lands of Thomptallon and Corſwall with the pertinents thereof comprehending as ſaid is with the marriage of the heirs as oft as the ſaid Caſualities ſhall happen to fall in the hands of his Majeſtie or his ſucceſsors Together with all right title and intereſt which he or they may or can any wayes in time comeing claim or pretend to the ſaid Caſualities of waird nonentry relief and marriage and to the ſaid Lands by vertue thereof with power to the ſaid heirs of the ſaid Sir Hugh and his forſaids to poſſeſs ſet and diſpoſe at their pleasure upon the forſaid Lands dureing the ſaid ſpace of the waird and nonentry thereof or either of them notwithſtanding of their falling in the hands of his Majeſtie and his forſaids by reaſon of ward and nonentry as is more fully expreſt in the ſaid Charter which contains a diſpenſation for ſerveing retouring infefting and ſeaſing the heirs and ſucceſsors of the ſaid Sir Hugh and his forſaids in the ſamen lands and others abovementioned at any time dureing their minorities and by which alſo His Majeſtie Wills Grants Decerns & Ordains that it ſhould be leiſum and lawfull to the ſaid Sir Hugh Dalrymple and his heirs of tailzie and proviſion forſaid to grant Infeftments of annualrent furth of the ſaid Lands of Thomptallon and Corſwall or furth of any part thereof or to grant Diſpoſitions of the ſamen to the value of the half or haill thereof to any perſon or perſons and that without the hazard of Recognition notwithſtanding of any act of Parliament made or to be made in the contrare Whereanent His Majeſtie with conſent forſaid has by the ſaid Charter Diſpenſed for ever Likeas thereby His Majeſtie has ſold and diſponed in favors of the ſaid Sir Hugh and his forſaids the ſaid Lands of Thomptallon and Corſwall as if the ſamen were already fallen in his Majeſties hands by vertue of Recognition as ſaid is Renunceing by the ſamen Charter all benefite which His Majeſtie and his ſucceſsors may be able in all time comeing to aſk claim or pretend to the forſaid Lands by vertue of recognition in manner mentioned in the ſaid Charter Which contains likewayes a Confirmation of the Writs and Evidents therein expreſt of the Lands and others forſaid and of ſeveral annualrents to be uplifted furth thereof in favors of the ſaid Sir Hugh and the ſaid Robert his ſon and his other heirs abovementioned with other Clauſes as the ſamen bears And likewayes Our ſaid Soveraign Lord and Eſtates of Parliament hereby Ratifie and Approve the Precept of Seaſine contained in the ſaid Charter and Inſtrument of Seaſine following thereupon in the haill heads articles and clauſes of the ſamen Charter Precept and Seaſine And His Majeſtie and the ſaid Eſtates do by thir preſents Statute and Ordain that the forſaid Charter and Seaſine and this Ratification thereof are and ſhall be conform to the tenors of the ſamen valid rights to the ſaid Sir Hugh Dalrymple and his ſaid ſon and heirs of tailzie forſaid for poſſeſsing and enjoying the haill Lands mills teinds mines and others abovementioned contained therein without any ſtop or impediment and that the ſame ſhall never be quarrelled nor revocked by his Majeſtie or his ſucceſsors And Wills and Declares this preſent Ratification to be as ſufficient as if every word of the ſaid Charter and Seaſine were inſert therein Diſpenſeing hereby therewith and with all other objections if any be that can be proponed againſt the ſame and the ſaid Charter and Seaſine thereby Ratified.

RATIFICATION in favors of Sir James Murray of Philiphaugh & John Murray his son of the Barony of Philiphaugh

22 OUR SOVERAIGN LORD and Estates of Parliament Ratifie Approve and perpetually Confirm the Charter under the great ſeal of the date at Kensingtoun the fifteenth day of February One thouſand and ſeven hundred years Granted by his Royal Majestie for himſelfe as King and as Prince and Stewart of Scotland Duke of Rotheſay Lord of the Isles and Baron of Renfrew to and in favors of Sir James Murray of Philiphaugh Knight and Baronet one of the Senators of the Colledge of Juſtice and John Murray his eldeſt lawfull ſon and his heirs of tailzie and aſsigneyes mentioned in the ſaid Charter whereof the tenor follows GULIELMUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique defenſor Omnibus probis hominibus totius Terræ ſuæ Clericis et Laicis Salutem Sciatis Nos cum ſpeciali aviſamento et conſenſu fideliſsimorum et predilectorum noſtrorum Conſanguineorum et Conciliariorum Patricii Comitis de Marchmont ſummi noſtri Cancellarii antiqui Regni noſtri Scotiæ Jacobi Ducis de Queenſberry noſtri ſecreti Sigilli Cuſtodis Archibaldi Comitis de Argyll Gulielmi Comitis de Annandale et confiſorum noſtrorum Conciliariorum Adami Cockburn de Ormiſtoun noſtri Theſaurarii deputati et Magiſtri Franciſci Montgomery de Giffen Commiſsionariorum noſtri Theſaurarii Computorum Rotulatorii et Theſaurarii novarum Noſtrarum Augmentationum Necnon cum aviſamento et conſenſu reliquorum Dominorum aliorumq; noſtri Scaccarii infra dictum Regnum Commiſsionariorum Dediſse Conceſsiſse Diſpoſuiſse et in perpetuum Confirmaſse sicuti tenore hujus preſentis Cartæ noſtræ Dare Concedere et Disponere ac pro nobis et ſucceſsoribus noſtris in perpetuum Confirmare dilecto Noſtro Conciliario Domino Jacobo Murray de Philiphaugh uni ex ſenatoribus Collegii noſtri Juſticiæ in vitali Redditu durañ omnibus ſuæ vitæ diebus et Joanni Murray ejus filio legitimo natu maximo procreañ inter illum et Dominam Martham Don ejus ſponſam et heredibus maſculis ex ejus corpore legitime procreand Quibus deficientibus quibuſvis aliis heredibus maſculis procreañ ſeu procreand inter dictum Dominum Jacobum et dictam Dominam Margaretam Don Quibus deficieñ quibuſvis aliis heredibus maſculis procreand de corpore dicti Domini Jacobi in ullo ſubſequente Matrimonio Quibus deficieñ heredibus ejus maſculis quibuſcunq; Quibus deficieñ hæredi femellæ legitimæ ex ejus corpore procreand natu maximæ ſine diviſione (ejus marito eorumque heredibus et ſucceſsoribus ſemper nomen de Murray aſsumeñ et arma gereñ de Philiphaugh) Quibus omnibus deficieñ propinquioribus legitimis heredibus et aſsignatis quibuſcunq; dicti Domini Jacobi Murray in feodo cum et ſub expreſsa Reſervatione poteſtate et facultate poſt inſerī Concepī in favorem dicti Domini Jacobi Murray de Philiphaugh et non aliter hereditarie et irredimabiliter Totas et Integras Terras Baroniam aliaque ſubſcripī viz. Omnes et ſingulas Terras de Hangandſhaw Livinghope et Hairhead cum maneriei loco domibus edificiis hortis toftis croftis ſilvis nemoribus molendinis et multuris earund ædificañ ſeu ædificand annexis connexis lie outſetts partibus pendiculis et pertineñ earund quibuſcunq; cum teneñ tenañ libereq; teneñ ſervitiis hujuſmodi jaceñ infra dominium de Ettrick forreſt et Vicecomitatum Noſtrum de Selkirk Totas et Integras Terras de Philiphaugh cum turre fortalicio maneriei loco hortis pomariis et molendinis earund cum ſuis pertineñ jaceñ infra villam et territorium de Philiphaugh et Vicecomitatum de Selkirk prædicī Necnon totas et integras illas terras de Philiphaugh nuncupañ lie Whitelaws land ut dictum eſt jaceñ Totas et integras terras de Peilhill cum pertineñ jaceñ infra dicī Vicecomitatum de Selkirk Totas et integras immunitates cuſtumas et firmas burgales villæ et burgi de Selkirk cum officio Vicecomitis Vicecomitatus noſtri de Selkirk et pertineñ hujuſmodi Ac etiam totas et integras Terras de Mauldiſcheugh et Mauldishaugh cum pertineñ jaceñ infra dicī Vicecomitatum de Selkirk Et similiter totam et integram unam acram terræ cum manſione domibus edificiis et pertineñ hujuſmodi una cum tertia parte alterius acræ terræ cum domibus et manſione ad eandem pertineñ olim ad Joannem Turnbull in Philiphaugh et nunc ad Mariotam alias vulgo lie Mauſie Turnbull unam ſuarum filiarum pertineñ jaceñ infra dicī villam et territorium de Philiphaugh et Vicecomitatum de Selkirk antedicī Quæquidem omnes Terræ de Hangandſhaw Livinghope Haughhead Philiphaugh aliaque ſupraſcripī cum pertineñ unīt annexañ et incorporañ fuere in unam integram et liberam Baroniam Baroniam de Philiphaugh nuncupañ Cujus turris ſeu fortalicium de Philiphaugh ordinatur principale fore Meſsuagium et unica ſaſina ad dicī fortalicium capieñ ſufficieñ fore ſaſinam pro dicī integris terris ſecundum Cartam per quondam Jacobum Sextum ejus nominis Regem beatæ memoriæ demortuo Domino Joanni Murray de Philiphaugh proavo dicti Domini Jacobi Murray nunc de Philiphaugh conceſs de data decimo nono Decembris Anno Domini Milleſimo ſexcenteſimo decimo quinto Et similiter totam et integram dicti Domini Jacobi ejus partem et portionem antiquæ Communitatis de Selkirk bondañ et deſignañ modo ſubſcripī quæ eſt pars et pertineñ dictæ Baroniæ nunc ad dictum Dominum Jacobum in proprietate ſpectañ virtute ſubmiſsionis inter heretores et decreti arbitralis deſuper ſequeñ Ratificañ in Parliamento decimo ſeptimo die Septembris Anno Domini Milleſimo ſexcenteſimo

octuageſimo primo viz. prout ſequitur in vulgari That part and portion of the ſaid Common beginning at the foot of the Philipburn and goes doun the northſide of the Water of Ettrick to an march ſtone on the weſt ſide of an road that leads from the Coble through the haugh by ſeveral meaths and marches to an march ſtone at the Holm foot and from thence goes eaſtward an green road to an march ſtone on the weſt ſide of the Linglie burn foot and then goes up the ſaid burn till it come to an march ſtone on the weſt ſide of the ſike at the weſt end of Archies moſs alias called Pyper moſs and from thence to an march ſtone at the foot of the Greengate and then goes up the ſaid gate to an march ſtone on the weſt ſide thereof and then turns weſtward to an march ſtone on the eaſt ſide of the ſike in the Holl of the Houſtruther head and then goes through the ſike by ſeveral meaths and marches through the Houſtruther to ane march ſtone on the over Nar of Stainlie and then goes weſt the Narheads by the meaths and marches ſet thereon to an march ſtone on daming ſike and from thence weſtward down the brae while it come to Philipburn comeing through the middle of Blackmires and then goes up the brae by the ſeveral meaths and marches till it come to the weſt end of the Hairhead fall which is the ſaid Sir James his own property Reſervañ omnimodo dicto Burgo de Selkirk et Incolis ejuſd liberum exitum et introitum huc et illuc per Holmeſide et Philipburn ad transportand ceſpites ericetam aliaque focalia dicto Burgo illo omnimodo Secludeñ ab omni privilegio paſturæ aut alius ſervitudinis qualiſcunq, excepto ſolummodo ire et redire ad fines predicť Et similiter Declarañ quod si contigerit aquam de Ettrick preſeñ alterare curſum ſic ut molendina et lie Calds et aquæducť de Selkirk præjudicentur ob defectum aquæ tunc et in eo caſu licitum et legitimum erit dicto Burgo novum edificare lie Cald et novum jactare aquæductum in ullo loco magis convenienti ad ducendam aquam ad eorum molendina tenore hujus preſentis Cartæ noſtræ liberam illis caſu prædicť aquæducť poteſtatem Concedeñ Et similiter totas et integras Terras dimidiať Forreſtriæ Steeding de Kerſhope vulgo nuncupať occideñ latus de Kershope cum domibus edificiis hortis outſettis toftis croftis partibus pendiculis et pertineñ hujuſmodi quibuſcunque ut nunc per dictum Dominum Jacobum Murray ejuſque teneñ ejus nomine poſsidentur et occupantur jaceñ infra dominium de Ettrick forreſt et Vicecomitatum de Selkirk Totas et integras terras de Whiteburne olim poſſeſs per Jacobum Carmichael de Padaſhaw et Philippum Thomſon in Pardovan Et totas et integras terras de Davidstoun cum pertineñ jaceñ in parochia de Livingstoun et Vicecomitatu de Linlithgow olim pertineñ ad demortuum Joannem Crichtoun de Strathurd et per illum diſpoſiť ad demortuum Dominum Jacobum Murray de Philiphaugh avum dicti Domini Jacobi Murray nunc de Philiphaugh Quæquidem Terræ Baronia aliaq, respective ſupraſcripť cum pertineñ perprius hereditare pertinuerunt ad dictum Dominum Jacobum Murray de Philiphaugh per illum de Nobis immediate tenť et die

per illum ejuſq, legitimos procuratores in hunc effectum ſpecialiter conſtituť virtute patentium literarum procuratoriæ contenť in obligatione talliæ facť et conceſs per ipſum in ſui ipſius favorem in vitali Redditu et heredum talliæ ſupramentionať in feodo de data Decimo quinto die Septembris Anno Domini Milleſimo ſexcenteſimo nonageſimo nono debite et legitime Resignatæ fuere in manibus Dominorum Commiſsionariorum noſtri Theſaurarii et Scaccarii tanquam poteſtatem habeñ reſignationes recipieñ et deſuper nova Infeofamenta concedeñ tanquam in manibus noſtris in favorem proq, novo Infeofamento earund faciend dand et concedend per nos ſub magno noſtro Sigillo ad et in favorem dicti Domini Jacobi Murray in vitali redditu durañ omnibus ejus vitæ diebus et Joannis Murray ejus filii legitimi natu maximi inter illum et Dominam Margaretam Don ejus ſponſam procreať et heredum maſculorum legitime ex ejus corpore procreand Quibus deficieñ quorumcunq, aliorum heredum maſculorum procreand de corpore dicti Domini Jacobi in ullo ſubſequente matrimonio Quibus deficieñ in favorem ejus heredum maſculorum quorumcunq, Quibus deficieñ in favorem heredis femellæ legitimæ natu maximæ ex ejus corpore ſine diviſione ejus marito eorumque heredibus et ſucceſsoribus nomen ſemper de Murray aſsumeñ et arma de Philiphaugh gereñ et non aliter Quibus deficieñ ad et in favorem propinquiorum heredum legitimorum et aſsignatorum dicti Domini Jacobi Murray in feodo cum et ſub expreſsa reſervatione poteſtate & facultate poſt inſerť concepť in favorem dicť Domini Jacobi Murray et non aliter viz. Reſervañ omnimodo plenam poteſtatem et facultatem dicto Domino Jacobo Murray per ſeipſum ſolum ſine conſenſu dicti Joannis Murray ejus filii vel ullorum heredum ſupraſcripť quovis tempore durañ ſua vita et etiam in articulo mortis preſentes alterare et innovare ut illi expediens viſum fuerit et vendere alienare impignorare vel disponere terras baronias aliaq, ſupraſcripť cum pertineñ vel ullam earundem partem quibuſcunq, perſonis prout illi placuerit et infeofamenta annuorum reddituum ex iiſdem concedere ac debita hereditaria et mobilia contrahere et aſsedationes locare pro tanto tempore proq, ullius aſsedationis divoriæ ſolutione prout illis expediens videbitur Et omnia alia acta et facta proprietatis ſine conſenſu dicti ejus filii ejusq, predicť preſtare eodem modo ſicut ipſe abſolutus feodator eſset et quamſi nomen ejus filii hic non inſereretur cum et ſub qua reſervatione et proviſione preſentes conceduntur et feodum dicto Joanni Murray providetur et non aliter hereditarie

et irredimabiliter in debita et competenti forma uti competit prout authentica Inſtrumenta deſuper ſuſcepta in manibus
Notarii publici latius proportant Insuper Nos pro bonis et fidelibus officiis Nobis Noſtriſq, predeceſſoribus per dictum Dominum Jacobum Murray ejusque anteceſsores facť et preſtitť De Novo Dedimus Conceſsimus Disposuimus proque Nobis et Succeſsoribus noſtris in perpetuum Confirmavimus ſicuti Nos cum conſenſu predicto De Novo Damus Concedimus Disponimus proq, Nobis Nostrisq, Succeſsoribus pro perpetuo Confirmamus dicto Domino Jacobo Murray in vitali redditu durañ omnibus ejus vitæ diebus et dicto Joanni Murray aliisq, heredibus talliæ ſupraſcripť in feodo cum et ſub expreſsa reſervatione poteſtate et facultate ſupraſcripť concepť in favorem dicti Domini Jacobi Murray Totas et integras Terras Baroniam aliaq, ſupraſcripť viz. totas et integras Terras de Hangandſhaw Livinghope et Hairhead cum maneriei loco domibus edificiis hortis pomariis toſtis croſtis ſilvis nemoribus molendinis et multuris earund ædificať ſeu ædificand annexis connexis lie outſettis partibus pendiculis et pertineñ earund quibuſcunq, cum teneñ tenañ libereq, teneñ ſervitiis hujusmodi jaceñ infra Dominium de Ettrick forreſt et Vicecomitatum de Selkirk Totas et integras Terras de Philiphaugh cum turre fortalicio maneriei loco hortis pomariis et molendinis earundem cum ſuis pertineñ jaceñ infra villam et territorium de Philiphaugh et Vicecomitatum de Selkirk predicť Nec non totas et integras illas terras de Philiphaugh vocať Whitelaws land ut dictum eſt jaceñ Totas et integras Terras de Peillhill cum pertineñ jaceñ infra dictum Vicecomitatum de Selkirk Totas et integras Immunitates cuſtumas et firmas burgales villæ et burgi de Selkirk cum officio Vicecomitis Vicecomitatus noſtri de Selkirk et pertineñ hujusmodi Ac etiam totas et integras Terras de Mauldiſcheugh et Mauldiſhaugh cum pertineñ jaceñ infra Vicecomitatum de Selkirk Et ſimiliter totam et integram unam acram terræ cum manſione domibus edificiis et pertineñ hujuſmodi una cum tertia parte alterius acræ terræ cum domibus et manſione ad eandem pertineñ olim ad Joannem Turnbull in Philiphaugh et nunc ad Mariotam alias vulgo lie Mauſie Turnbull unam ſuarum filiarum pertineñ jaceñ infra dictam villam et territorium de Philiphaugh et Vicecomitatum de Selkirk antedicť Quæquidem omnes terræ de Hangandſhaw Livinghope Hairhead Philiphaugh aliaq, ſupraſcripť cum pertineñ unift erecť et incorporať fuere in unam integram et liberam Baroniam Baroniam de Philiphaugh nuncupať cujus turris ſeu fortalicium de Philiphaugh Ordinatur principale fore meſuagium et unica faſina ad dicť fortalicium Capiend ſufficieñ fore faſinam pro dicť integris terris ſecundum Cartam per quondam Jacobum Sextum ejus Nominis Regem beatæ memoriæ demortuo Domino Joanni Murray de Philiphaugh proavo dicti Domini Jacobi Murray nunc de Philiphaugh conceſs de data Decimo nono Die Decembris Anno Domini Milleſimo ſexcenteſimo decimo quinto Et similiter totam et integram dicti Domini Jacobi ejus partem et portionem antiquæ Communitatis de Selkirk bondať et deſignať modo ſubſcripť quæ eſt pars et pertineñ dicť Baroniæ nunc ad dictum Dominum Jacobum in proprietate ſpectañ virtute ſubmiſsionis inter adjaceñ heretores et Decreti Arbitralis deſuper ſequeñ Ratificať in Parliamento Decimo septimo die Septembris anno Domini Milleſimo ſexcenteſimo octuageſimo primo viz. prout ſequitur in vulgari That part and portion of the ſaid Common beginning at the foot of Philipburne and thereafter goeth doun the north ſide of the Water of Ettrick till the march ſtone on the ſouth ſide of the road leading from the coble through the haugh by ſundry meaths and marches till a march ſtone at Holmefoot and thereafter goeth eaſt a green road till a march ſtone on the weſt ſide of Linglieburne foot and thereafter goeth up the ſaid Water till it come to a march ſtone on the weſt ſide of the ſyke at the weſt end of Archies moſs otherwayes called Pypermoſs and thereafter to a march ſtone at the foot of the Greengate and thereafter goeth up the ſaid gate to a march ſtone on the weſt ſide thereof and then turns weſtward to a march ſtone on the eaſt ſide of the Syke in the holl of the Houſetruther head and then goes through the ſaid ſike by ſeveral meaths and marches through the Houſetruther to an march ſtone on the over Nar of Stainlie and then goes weſt the Narhead by the meaths and marches set thereon to an march ſtone on Daming ſyke and from thence weſtward down the brae while it come to Philipburn running through the middle of Blackmires and then goes up the brae by ſeveral meaths and marches till it come to the weſt end of the Hairhead fall which is the ſaid Sir James his own property Reſervañ omnimodo dicto Burgo de Selkirk et incolis ejuſdem liberum introitum et exitum huc et illuc per Holmeſide et Philipburn ad tranſportand ceſpites ericetam aliaque focalia dicto Burgo illo omnimodo Secludeñ ab omni privilegio paſturæ et alius ſervitudinis quibuſcunque excepto ſolummodo ire et redire ad fines predicť Et similiter Declarañ quod ſi contigerit aquam de Ettrick preſeñ alterare curſum ſic ut Molendina et lie Calds ac aquæducť de Selkirk prejudicentur ob defectum aquæ tunc et eo caſu licitum et legitimum erit dicto Burgo novum efficere lie Cald ac novum jactare aquæductum in ullo loco magis convenieñ ad ducendam aquam ad eorum molendina tenore preſentium liberam illis poteſtatem aquæducť caſu prædicto concedendo Et similiter totas et integras terras dimidiať foreſtriæ Steeding de Kerſhope vulgo nuncupať Occideñ Latus de Kershope cum domibus edificiis hortis outſetts toſtis croſtis partibus pendiculis et pertineñ hujus-

modi quibuſcunq; et nunc per dictum Dominum Jacobum Murray ejusq; teneñ ejus nomine poſsidentur et occupantur jaceñ infra Dominium de Ettrick forreſt et Vicecomitatum de Selkirk Ac totas et integras Terras de Whiteburn olim poſſeſſ⁹ per Jacobum Carmichael de Padaſhaw ac Philippum Thomſon in Parkdovan et totas et integras Terras de Davieſtoun cum pertineñ jaceñ in parochia de Livingſtoun et Vicecomitatu de Linlithgow olim pertineñ ad demortuum Joannem Crichtoun de Strathurd et per illum diſpoſit ad demortuum Dominum Jacobum Murray de Philiphaugh avum dicti Domini Jacobi Murray nunc de Philiphaugh una cum omni jure titulo intereſse juriſclameo proprietate et poſſeſsione tam petitorio quam poſſeſſorio quæ Nos Noſtrive prediceſsores et ſucceſsores habuimus habemus vel ullo modo habere clamare vel pretendere poterimus vel poſsimus ad dict terras Baroniam aliaq; ſupraſcript vel ullam earundem partem aut ad cenſus firmas canas proficua et divorias earundem quorumcunq; annorum aut terminorum preterit aut futur ratione wardæ non introitus relevii maritagii eschetæ foriffacturæ recognitionis purpreſturæ disclamationis baſtardiæ ultimi heredis reductionis aut nullitatis infeofamentorum faſinarum retornatuum non confirmationis debito tempore actorum annexationis generalium aut particularium revocationum diminutionum rentalis vel virtute quarumcunq; legum vel actorum Parliamenti facieñ in contrarium non oſtentionis nec performationis ſervitiorum debit et conſuet non ſolutionis divoriarum aliorumq; ex dictis terris ſolubilium aut virtute cujuſcunq; evictionis actionis imperfectionis aut occaſionis diem datæ preſentium precedeñ Renunciañ transfereñ et extradonañ a Nobis Noſtriſq; Succeſsoribus eadem in favorem dicti Domini Jacobi ejusq; prædict in vitali redditu et feodo respective nunc et in perpetuum cum pacto de non petendo et cum ſupplemento omnium aliorum defectuum et imperfectionum qualiumcunque tam non nominat quam nominat quæ Nos pro Nobis noſtriſque ſucceſsoribus cum conſenſu predict in hac preſenti Carta noſtra haberi volumus Quocirca Dispensavimus tenoreq; hujus preſentis Cartæ Noſtræ in perpetuum Dispenſamus Insuper Nos pro cauſis ſupraſcript cum aviſamento et conſenſu prædicto Disjunximus Disunivimus et Diſsolvimus Tenoreq; preſentis hujus Cartæ noſtræ pro nobis et ſucceſsoribus Nostris Disjungimus Disunimus et Diſsolvimus totas et integras prædict terras dimidiat forreſtriæ Steeding de Kershope vulgo vocat Occideñ Latus de Kershope jaceñ in dicto dominio de Ettrick forreſt et Vicecomitatu de Selkirk Totas et integras dictas terras de Whiteburn et totas et integras dict terras de Davieoun cum domibus edificiis hortis et integris pertineñ earund ſupraſcript jaceñ in parochia de Livingſtoun et Vicecomitatu de Linlithgow, ab omnibus et ſingulis aliis terris Baroniis Regalitatibus ac aliis quibus prius unibantur et annexabantur et annexavimus tenoreq; preſentis Cartæ Noſtræ annexamus eaſd dictæ Baroniæ de Philiphaugh et De Novo Unimus Erigimus Creamus et Incorporamus prædict antiquam Baroniam de Philiphaugh comprehendeñ particulares terras aliaque ſupraſcript cum dicta parte et portione antiquæ Communitatis de Selkirk nunc in proprietate exiſteñ bondat et deſignat ut prædict una cum prædict terris de dimidiat forreſtriæ Steeding de Kershope terris de Whiteburn et Davieſtoun et integris aliis terris ſupraſcript in unam integram et liberam Baroniam Baroniam de Philiphaugh ut predictum est nunc et in omni tempore futuro vocand et deſignand Cujus turris ſeu fortalicium de Philiphaugh principale fore meſuagium ordinatur Et volumus et concedimus proq; nobis Noſtrisq; ſucceſsoribus decernimus ordinamus et declaramus unicam faſinam nunc et omni tempore futuro per dict Dominum Jacobum Murray de Philiphaugh ejusq; filium alioſq; heredes ſupraſcript Capiend apud dict Maneriei locum vel ſuper ſolum cujuſvis partis prædict terrarum validam et ſufficientem fore faſinam pro integris terris Baronia aliisq; particulariter ſupraſcript cum pertineñ erect ut dictum eſt non obſtañ quod minime contigue jacent ſed in diverſis locis et juriſdictionibus Quocirca Nos pro nobis et ſucceſsoribus noſtris cum conſenſu prædicto Dispenſavimus tenoreq; preſentis Cartæ Noſtræ pro perpetuo dispenſamus Teneñ et Habeñ totas et integras dict terras et Baroniam de Philiphaugh comprehendeñ et contineñ particulares terras officia aliaq; ſupra expreſſ⁹ cum pertineñ dicto Domino Jacobo Murray in vitali Redditu et dicto Joanni Murray ejus filio legitimo natu maximo et heredibus maſculis ex ejus corpore legitime procreat vel procreand Quibus deficieñ quibuſvis aliis heredibus masculis legitimis procreat vel procreand inter dictum Dominum Jacobum et Dominam Margaretam ejus ſponſam Quibus deficieñ quibusvis aliis heredibus maſculis ex corpore dict Domini Jacobi in quovis ſubſequeñ Matrimonio procreand Quibus deficieñ heredibus ejus maſculis quibuſcunq; Quibus deficieñ heredi femellæ ex ejus corpore natu maximæ ſine diviſione ejus Marito eorumq; heredibus et ſucceſsoribus Nomen de Murray ſemper aſsumeñ et arma de Philiphaugh gereñ Quibus omnibus deficieñ ejus propinquioribus et legitimis heredibus et aſsignatis quibuſcunque in feodo cum et ſub expreſsa reſervatione poteſtate et facultate ſupramentionat in favorem dicti Domini Jacobi Murray concept et non aliter de nobis Noſtrisq; ſucceſsoribus in libera Baronia modo ſupraſcript feodo et hereditate in perpetuum per omnes rectas metas ſuas antiquas et diviſas prout jacent in longitudine et latitudine in domibus edificiis hortis hortariis boſcis planis moris mareſiis viis ſemitis planis aquis ſtagnis rivolis pratis paſcuis et paſturis molendinis multuris et eorum ſequelis aucupationibus venationibus piſcationibus

petariis turbariis carbonibus carbonariis columbis columbariis cuniculis cunicularíis fabrilibus brafinis breueriis geniſtis ſilvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis bloodwitis amerciamentis et mulierum merchetis cum furca foſsa lie ſock ſack thole thame vert wrack wair venniſon outfangthief infangthief pit ſtocks et gallows cum communi paſtura liberoq, introitu et exitu ac cum omnibus aliis et ſingulis libertatibus commoditatibus proficuis aſiamentis et juſtis ſuis pertinentiis quibuscunq, tam nominatis quam non nominatis tam ſubtus terra quam ſupra terram procul et prope ad prædict terras aliaq, ſupra mentionat cum pertineñ ſeu aliquam earundem partem ſpectañ ſeu juſte ſpectare valeñ quomodolibet in futurum libere quiete honorifice bene et in pace ſine ulla revocatione impedimento aut obſtaculo aliquali ſeu qualicunq, Reddendo inde annuatim dictus Dominus Jacobus Murray durañ omnibus ejus vitæ diebus et poſt ejus mortem dict Joannes Murray ejus filius legitimus natu maximus aliiq, heredes taliæ ſupraſcript Nobis noſtrisq, ſucceſſoribus Computorum Rotulatoriis et Camerariis præſeñ vel futur pro totis et integris prædict terris de Hangandſhaw Livinghope ac Hairhead cum manerierum locis domibus edificiis hortis toftis croftis plantationibus molendinis ac multuris edificat ſeu edificand annexis connexis lie outſetts partibus pendiculis et pertineñ earundem quibuſcunq, teneñ tenañ libereq, teneñ ſervitiis hujusmodi summam centum quinquaginta librarum ſex ſolidorum et octo denariorum uſualis Monetæ Scotiæ ad duos anni terminos feſta viz. pentecoſtes et ſancti Martini in hyeme per equales portiones tanquam pro feudifirma et augmentatione pro iisdem terris perprius ſolvi ſolit una cum ſumma trium ſolidorum et quatuor denariorum monetæ prædict in augmentatione Nostri Rentalis plus quam unquam Nobis aut predeceſſoribus nostris perprius perſolvebatur Nec non heredes maſculi et aſsignati dicti Joannis Murray Duplicañ dict feudifirmam et augmentationem primo anno illorum introitus ad terras aliaque ſupraſcript prout uſus eſt feudifirmæ Ac similiter obſervañ et perimpleñ omnes et ſingulas alias conditiones clauſulas et proviſiones si quæ ſint in antiquis infeofamentis aſsedationibus rentalibus dict terrarum contenť quas tanquam pro expreſs in hac preſenti carta noſtra haberi volumus Ac pro totis et integris dict terris de Philiphaugh ac molendinis earundem cum illa parte ejuſdem vocat Whitelaws lands cum prædicta acra et tertia parte alterius acræ dict terrarum de Philiphaugh cum manerierum loco et pertineñ olim pertineñ ad dict demortuum Joannem Turnbull jura et ſervitia debit et conſuet et pro dict Terris de Peilhill cum officio Vicecomitis antedict et pertineñ unum denarium monetæ prædict in die feſtæ pentecoſtes nomine albæ firmæ si petatur tantum Et pro prædict cuſtumis et divoriis Burgalibus tam preſentium ac per ſolutionem earundem in Scaccario ſecundum Scaccarii Rotulum conficieñ Et pro dictis terris de Mauldiſcheugh et Mauldiſchaugh cum pertineñ earundem denarium monetæ prædict ſuper ſolo dict terrarum ad feſtum pentecoſtes nomine albæ firmæ ſi petatur tantum Et pro dict terris de dimidiat forreſtriæ ſteeding de Kershope vulgo vocat Occideñ Latus de Kershope cum Domibus edificiis hortis lie outſetts toftis croftis partibus pendiculis et pertineñ quibuſcunq, ſummam duodecim Librarum monetæ Scotiæ nomine feudifirmæ ad duos anni terminos feſta viz. Pentecoſtes et Sancti Martini in hyeme per equales portiones Ac etiam heredes dicti Domini Jacobi et Joannis Murrays Duplicand dict feudifirmam primo anno Introitus ad dict terras prout uſus eſt feudifirmæ Ac similiter pro dictis terris de Whiteburn et Davieſtoun cum pertineñ jaceñ ut dictum eſt jura et ſervitia debit et conſuet Proviſo omnimodo sicuti per preſentes ſpecialiter providetur et declaratur et Volumus et Concedimus proq, Nobis et ſucceſſoribus Noſtris Decernimus Declaramus et Ordinamus quod etiamſi contigerit prædict terras de Philiphaugh et molendina earund cum illa parte earund vocat Whitelaws lands cum prædicta acra et tertia parte alterius acræ dict terrarum de Philiphaugh cum manerieí loco et pertineñ dict terras de Whiteburn et Davieſtoun cum pertineñ in manibus noſtris et ſucceſſorum Noſtrorum cadere et devenire ratione wardæ et nonintroitus eorumve alterutrius vel ob minoritatem aut defect heredum aut ſucceſſorum dict Domini Jacobi aut Joannis Murrays ullo tempore futuro Nihilominus dict heredes et ſucceſsores dict Domini Jacobi vel Joannis Murrays pacifice gaudebunt et poſsidebunt dict terras cum pertineñ ſupraſcript et firmas canas cuſtumas caſualitates proficuas et divorias earundem levabunt et ad eorum proprium uſum applicabunt durañ integro tempore dictæ wardæ et nonintroitus quotiescunq, eadem contigerint de tempore in tempus omni tempore futuro heredes et ſucceſsores dict Domini Jacobi et Joannis Murrays Reddeñ omnimodo nobis et ſucceſſoribus noſtris pro dict terris et pertineñ earund in warda tent ut dictum eſt taxat divorias ſubſcript viz. durañ warda et nonintroitu quotiescunq, eadem contigerint summam octoginta sex librarum tredecem ſolidorum quatuor denariorum monetæ Scotiæ ad duos anni terminos feſta viz. Pentecoſtes et Sancti Martini in hyeme per equales portiones Et ſimilem ſummam octoginta ſex librarum tredecem ſolidorum et quatuor denariorum monetæ prædict pro Relevio earundem et pro maritagio dict heredum summam centum septuaginta trium librarum ſex ſolidorum octo denariorum monetæ Scotiæ quotiescunq, eadem contigerit vacare Et Nos Taxavimus tenoreq, hujus preſentis Cartæ Noſtræ Taxamus dictam wardam relevium nonintroitum et maritagium et mutavimus tenoreq, preſentium mutamus tentio-

nem dict terrarum a ſimplici warda ad taxat wardam modo ſupraſcript pro ſolutione dict taxat divoriarum reſpective ſupraſpecificat Et nunc prout dictæ Terræ hactenus in Manibus Noſtris aut ſucceſſorum Noſtrorum Ceciderint et tunc ut nunc Nos pro ſolutione dict taxat divoriarum Damus Concedimus et Disponimus heredibus et ſucceſſoribus dicti Domini Jacobi et Joannis Murrays pro perpetuo omni tempore futuro prædict warda nonintroitus cum integris redditibus canis cuſtumis caſualitatibus proficuis et divoriis dict terrarum de Philiphaugh cum molendinis earund ac pertineñ prædict et terrarum de Whiteburn et Davieſtoun jaceñ ut dictum eſt omnibus annis et terminis quibus in manibus Noſtris vel ſucceſſorum Noſtrorum ratione wardæ nonintroitus vel eorum alterutrius cadere contigerint cum relevio earundem quando contigerit una cum maritagio heredum et ſucceſſorum dict Domini Jacobi et Joannis Murrays quando idem contigerit de tempore in tempus omni tempore futuro Et volumus concedimus proq, nobis et ſucceſſoribus Noſtris cum conſenſu prædicto Decernimus Ordinamus et Declaramus quod licitum et legitimum erit apparentibus heredibus et ſucceſſoribus dict Domini Jacobi et Joannis Murrays de tempore in tempus omni tempore futuro cujuscunq, ætatis fuerint pro tempore procurare et obtinere ſeſe legitime et debite deſerviť et retornat infeodat et ſaſit in terris aliisq, ſupraſcript cum pertineñ earundem non obſtañ quod minores ſint penes quorum minoritates et cum Judicibus coram quibus eos deſerviri contigerit et per quos illos in dict terris aliisq, suprascript cum pertineñ earund infeodari et sasiri contigerit cumque perſonis qui inquiſitioni intererint cumq, omnibus aliis quos attinet Dispenſavimus proq, Nobis et ſucceſſoribus Noſtris in perpetuum Dispenſamus Et ulterius Ratificamus Approbamus proq, Nobis et ſucceſſoribus Noſtris cum aviſamento prædicto pro perpetuo Confirmamus Contractum Matrimonialem init et perfect inter dictum Dominum Jacobum Murray de Philiphaugh inibi deſignat Jacobum Murray et Dominam Margaretam Don ejus ſponsam inibi designat Dominam Margaretam Don filiam legitimam demortui Domini Alexandri Don de Newtoun cum conſenſu inibi ſpecificat ex una et altera partibus per quem propter cauſas inibi ſpecificat dict Dominus Jacobus ſeipſum ſuosq, heredes inibi ſpecificat aſtrixit et obligavit infeodare et ſaſire dictam Dominam Margaretam Don in vitali redditu durañ omnibus ejus vitæ diebus in totis et integris Terris de Livinghope et pertineñ vocat Scadrig extendeñ ad annuum Redditum ſummæ duarum millium et ſeptem centum mercarum monetæ Scotiæ Et in maneriei loco de Hangandſhaw cum domibus edificiis hortis pomariis et omnibus ejuſdem parcis per annum valeri eſtimat ſummam trecentum mercarum monetæ prædict cum canis carriagiis et ſervitiis teneñ dict terrarum de Livinghope et Scadrig uſit et conſuet una cum hortulani ſummis lie Garners ſoumes paſcend ſuper ſolo dict terrarum de Hangandſhaw ſecundum uſum et conſuetudinem cum proviſione quod ſi heredes maſculi qui ad ætatem majoritatis aut ad matrimonium pervenerint inter illos procrearentur vel quod dicta Domina Margareta Don poſtea nuberet tunc tranſeat et reſtringet ejus vitalem redditum dicti maneriei loci de Hangandſhaw cum domibus edificiis hortis pomariis et parcis earund ac vice earundem dict Dominus Jacobus ſe ſuosque prædict aſtrixit et obligavit illam infeodare et ſaſire durañ vita in maneriei loco de Philiphaugh hortis columbariis et in duabus ſummis graminis et in annuo Redditu centum Mercarum Monetæ prædict annuatim levañ de dictis terris de Philiphaugh ad conficiend dictam ſummam trecentum mercarum ad quam maneriei locus horti et parcæ de Hangandſhaw eſtimabantur ut prædicitur Et quod introitus ejus ad dict maneriei locum hortos aliaq, ſupraſpecificat fieret et inciperet ad primum terminum Pentecoſtes et Sancti Martini poſt deceſsum dicti Domini Jacobi Murray et deinceps continuaret durañ ejus vita Et hoc per duo Infeofamenta et duplicis tenendi modos unum eorum de ſeipſo ſuiſq, heredibus teneñ in libera albafirma pro ſolutione denarii monetæ prædict annuatim ſuper ſolo dict terrarum ad terminum pentecoſtes nomine albæfirmæ ſi petatur tantum alterumq, dict Infeofamentorum a ſe ſuiſq, heredibus de immediatis ſuis ſuperioribus dict terrarum. ſimiliter adeoq, libere in omnibus respectibus quam ipſe Dominus Jacobus illas tenuit ſeu tenere potuit Idq, vel per Resignationem vel Confirmationem modo inibi ſpecificat cum Precepto ſaſinæ inibi content et Inſtrumento ſaſinæ deſuper ſequeñ ſeu ſequi competeñ in integris capitibus clauſulis articulis tenoribus et contentis earund ſecundum ejus formam et tenorem in omnibus punctis Et Volumus Concedimus proq, Nobis Noſtrisq, ſucceſſoribus cum conſenſu prædicto Decernimus Declaramus et Ordinamus hanc preſentem generalem Confirmationem tam validam efficacem & ſufficientem dictæ Dominæ Margaretæ Don ac ſi dict Contractus matrimonialis Preceptum ſaſinæ inibi content et Inſtrumentum ſaſinæ deſuper ſequeñ ſeu ſequi competeñ verbatim in hac preſenti Carta inſererentur et ac ſi preſens Carta ante ſuſceptionem dictæ ſaſinæ concederetur Quocirca et penes omnes alios defectus et imperfectiones quæ ullo modo contra præmiſorum validitatem objici poterint dispenſavimus tenoreq, hujus preſentis Cartæ noſtræ cum conſenſu prædicto in perpetuum dispenſamus Et deniq, in verbo Principis promittimus Cartam deſuper ſequeñ Ratificare in ſubſequenti ſeſsione curreñ aut alius cujuſvis parliamenti Requireñ parliamenti Ordines eandem conformiter Ratificare Insuper Vicecomitibus et Balivis ſuis de Selkirk et Linlithgow respective nec

non dilectis noſtris
et veſtrum cuilibet conjunctim et diviſim vicecomitibus noſtris vicecomitatuum de Selkirk et Linlithgow reſpective in hac parte ſpecialiter conſtituť Salutem Vobis Precipimus et Mandamus quatenus præfato Domino Jacobo Murray in vitali redditu et Joanni Murray ejus filio natu maximo in feodo vel eorum certo acturnato latori preſentium ſaſinam totarum et integrarum dicť terrarum et Baroniæ de Philiphaugh comprehendeñ et contineñ particulares terras officia aliaq, ſupra expreſſ cum pertineñ jaceñ ut dictum eſt ſecundum formam et tenorem antedicť Cartæ quam de Nobis inde habent et diſpenſationis predicť cum et ſub expreſsa reſervatione poteſtate et facultate ſupra mentionať in favorem dicti Domini Jacobi Murray Concepť et non aliter juſte haberi faciatis ſine dilatione et hoc nullo modo omittatis Ad quod faciendum vobis et veſtrum cuilibet conjunctim et diviſim Vicecomitibus Noſtris Vicecomitatuum de Selkirk et Linlithgow respective in hac parte antedicť committimus poteſtatem In cujus rei Testimonium huic preſenti Cartæ noſtræ magnum ſigillum noſtrum appendi Mandavimus Testibus prædilecto noſtro Conſanguineo et Conciliario Carolo Comite de Selkirk Nobis ab Archivis et Regiſtris Clerico dilecto noſtro Conciliario Domino Joanne Maxwell de Pollock noſtræ Juſticiariæ Clerico et dilecto noſtro Domino Carolo Ker milite Noſtræ Cancellariæ directore Apud Aulam Noſtram de Kensingtoun Decimo quinto die menſis Februarii Anno Domini Milleſimo ſeptingenteſimo et Anno Rẽgni noſtri Undecimo Written to the great ſeal and Regiſtrat the ſixth of March one thouſand ſeven hundreth Sic ſubſcribitur Dun: Ronald dp^{t} Sealed at Edinburgh the Eight day of March One thouſand ſeven hundreth by Sic ſubſcribitur A Home. As alſo His Majeſtie and Eſtates of Parliament forſaid Ratifie Approve and Confirm the Precept of ſeaſine forſaid contained in the ſaid Charter and Inſtrument of ſeaſine following thereupon in favors of the ſaid Sir James Murray and John Murray his son under the hands of Thomas Halliday nottar publict of the date the Nineteenth day of March One thouſand ſeven hundred years and regiſtrat in the general Regiſter of ſeaſines at Ẽdinburgh the ſeventh day of May thereafter One thouſand ſeven hundreth in all and ſundry the haill heads points articles circumſtances clauſes conditions proviſions reſervations tenors and contents of the Charter forſaid after the form and tenor thereof in all points And moreover Our Soveraign Lord and Eſtates of Parliament Wills and Grants and for his Majeſtie and his Royal ſucceſsors Decerns Ordains and Declares that the ſame ſhall be good valid effectual and ſufficient rights and ſecurities to the ſaid Sir James and John Murrays and their forſaids in manner and conform to the ſaid Charter abovementioned for bruicking and enjoying the forſaid haill Lands Barony office of Sheriffſhip and others particularly and generally above mentioned And uptakeing the haill maills duties kains cuſtomes caſualities and profites of the ſamen and uſeing and disposeing thereupon at their pleaſure in all time comeing without any clag claime ſtop trouble or impediment whatſomever to be aſked or uſed by his Majeſtie or his Royal ſucceſsors excepting only the Taxt waird few and Blench duties abovespecified mentioned in the forſaid Chartor for now and ever Dispenseing with the generality forſaid and with the not inſerting of the ſeaſine following upon the forſaid Charter hereintill verbatim and at length and which is herein holden as repeated brevitatis cauſa And with all other faults defects and imperfections of the ſaid Charter and Infeftment or which may be proponed objected or alleadged againſt the validity thereof or of this preſent Ratification of the ſamen.

RATIFICATION in favors of Sir James Scougall of Whitehill of the Touns & Lands of over and nether Boddome

OUR SOVERAIGN LORD and Estates of Parliament Ratifie Approve and perpetually Confirm the Charter under the great ſeal of the date at the twelvth day of January I^{mo} vj^{c} ninety nine years granted by His Royal Majestie for himſelf as King and as Prince and Stewart of Scotland Duke of Rothesay Lord of the Isles and Baron of Renfrew to and in favors of Sir James Scougall of Whitehill one of the Senators of the Colledge of Juſtice and his heirs and aſsigneyes mentioned in the ſaid Charter whereof the tenor follows GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq, defensor Omnibus probis hominibus totius terræ suæ Clericis et Laicis Salutem Sciatis Nos cum avisamento et consensu confisorum et prædilectorum Nostrorum Consangnineorum et Conciliariorum Patricii Comitis de Marchmont summi Noſtri Cancellarii antiqui Regni nostri Scotiæ Jacobi Ducis de Queensberry Archibaldi Comitis de Argyll Gulielmi Comitis de Annandale Adami Cockburn de Ormestoun et Domini Joannis Maxwell de Pollock Noſtrorum Commiſsionariorum Thesaurarii Computorum Rotulatorum et novarum augmentationum Thesaurariorum dicti noſtri antiqui Regni Et etiam cum avisamento et consenſu reliquorum Dominorum aliorumq, Commissionariorum nostri Thesaurarii et Scaccarii Dediſse Conceſsiſse et Disposuiſse et hac presenti nostra Carta Confirmaſse necnon tenore preſentium Dare Concedere Disponere et hac presenti Carta nostra cum avisamento et consensu prædicť pro nobis et ſucceſsoribus nostris pro perpetuo Confirmare dilecto nostro Domino Jacobo Scougall de Whitehill uni Senatorum nostri Collegii Juſticiæ ejusq, heredi-

bus et aſsignatis quibuscunq; hereditarie et irredimabiliter Totas et integras villas et terras de Nether Boddome cum illa petia terræ vocaŧ lie Bass villas et terras de Over Boddome cum molendino terris molendinariis multuris lie sucken et ſequelis ejusd una cum maneriei loco domibus edificiis hortis pomariis toftis croftis lie outſettis insets annexis connexis dependentiis moſsis moris maresiis pratis communitate communi pastura partibus pendiculis et pertineñ earund quibuscunq; Una cum decimis earund rectoriis et viccariis magnis et minutis omnes jaceñ infra parochiam de Inſch et vicecomitatum de Aberdeen Quæquidem Terræ Decimæ aliaque ſupraſcripŧ cum pertineñ perprius hereditarie pertinuerunt ad Alexandrum Gordon filium quondam Magiſtri Thomæ Gordon in Kethocksmill et fuerunt per eum ejusq; legittimos procuratores ad hunc effectum ſpecialiter constitutos virtute procuratoriæ Resignationis contenŧ in dispositione facŧ per eum cum consensu Doctoris Georgii Middletoun principalis Collegii Aberdonensis dicŧ Domino Jacobo Scongall de data vigeſimo secundo die mensis Junii anno Domini Millesimo ſexcentesimo nonagesimo octavo Una cum omni jure titulo intereſse juris clameo proprietate et poſſeſsione petitoŕ et possessoŕ quæ dicŧ Alexander Gordon ejus heredes seu succeſsores habuerunt habent ſeu quovis modo clamare aut prætendere illis tempore futuro poterint pure et simpliciter per fustum et baculum ut usus est debite et legitime resignatæ in manibus Gulielmi Comitis de Annandale (in abſentia nostri dicŧ Cancellarii) pro ſeipso ac in nomine et vice dicŧ reliquorum dominorum aliorumque Commissionariorum nostri Thesaurarii et Scaccarii nostram habeñ potestatem resignationes recipieñ ,novaq; Infeofamenta desuper dand Apud Edinburgh Octavo die mensis Julii anno Domini Millesimo sexcentesimo nonagesimo octavo In favorem proq; novo Infeofamento earund facŧ dand et concedeñ ad et in favorem dicti Domini Jacobi Scougal ejusq; antedicŧ tanquam jus habeñ in modo præfato prout authentica instrumenta desuper in manibus Magiſtri Jacobi Elphinstoun Scribæ nostro ſigneto, notarii publici suscepta latius proportant Præterea Nos considerañ quod usus fuit Nostrorum predeceſsorum non solum Novo Damus Concedere sed etiam Mutare tentiones Vassalium a tentione ſimplicis wardæ ad ,wardam taxatam pro solutione talium divoriarum pro warda maritagio et relevio quæ nostri progenitores expedieñ putaverunt Ergo et pro diversis aliis onerosis causis et considerationibus nos moveñ Nos ex certa nostra Scientia et proprio motu de novo Dedimus Conceſsimus Disposuimus et pro nobis nostrisq; ſucceſsoribus pro perpetuo Confirmavimus tenoreq; præsentium Necnon cum consensu prædicŧ de novo Damus Concedimus Disponimus et pro nobis nostrisq; succeſsoribus pro perpetuo Confirmamus dicto Domino Jacobo Scougall ejusq; prædicŧ hereditarie et irredimabiliter totas et integras dicŧ villas et terras de Nether Boddome cum illa petia terræ vocaŧ lie Baſs villas et terras de Over Boddome cum molendino terris molendinariis multuris lie ſucken et ſequelis ejusd una cum maneriei loco domibus ædificiis hortis pomariis toftis croftis lie outsets insets annexis connexis dependentiis moſsis moris mareſiis pratis communitate communi paſtura partibus pendiculis et pertineñ earund quibuscunq; Una etiam cum decimis earund parsonariis et viccariis magnis minutis omnes jaceñ infra dicŧ parochiam de Inſch et Vicecomitatum de Aberdeen prædicŧ Una cum omni jure titulo intereſse juris clameo proprietate et poſſeſsione petitoŕ et poſſeſsoŕ quæ Nos vel Nostri prædeceſsores et ſucceſsores habuimus habemus vel quovis modo habere clamare vel pretendere poterimus terris decimis aliisq; suprascripŧ cum pertineñ vel aliquam earund partem vel ad cenſus firmas proficuas et divorias ejusd quorumcunq; annorum et terminorum præteriŧ præseñ et futurorum ratione wardæ relevii nonintroitus maritagii eschetæ annui redditus forfaulturæ purpresturæ recognitionis disclamationis bastardie ultimi heredis carentiæ confirmationis non oſtentionis tentionis mutationis ejusd reductionis seu improbationis Infeofamentorum fasinarum retornatuum non productionis earund debito tempore omiſsionis ſeu perditionis evidentium ſeu virtute alicujus clauſulæ contenŧ in antiquis infeofamentis prædicŧ terrarum aliorumq; ſupraſcripŧ quovis modo jure titulo cauſa vel occaſione quibuscunq; diem et datam præsentium præcedeñ Renunciañ transfereñ et extradonañ a nobis et nostris successoribus ad et in favorem dicti Domini Jacobi Scougal ejusq; prædicŧ pro presenti et futuro cum omni actione instantia, questione, jure, lege, lito lite et cauſa competeñ et quæ quocunq; modo competeñ fieri poterint Nobis et ſuccessoribus nostris deſuper pro præsenti et futuro cum pactione de non petendo et cum supplemento omnium defectuum culparum et imperfectionum tam non nominaŧ quam nominaŧ quæ nos pro nobis et successoribus nostris cum consensu prædicŧ volumus habere tanquam in hac nostra Carta expreſſ Et promittimus nunquam movere ullam actionem nec placitum desuper pro iisd tempore futuro non obstañ quacunque lege acto vel statuto facŧ vel faciend in contrarium cum quibus et omnibus desuper sequend vel sequituris et cum generalitate prædicŧ et non repetitione villarum terrarum aliorumq; particulariter suprascripŧ cum pertineñ et cum omnibus objectionibus quæ quovismodo desuper aſsurgere poterint Nos pro nobis et succeſsoribus Nostris Dispensavimus tenoreq; presentium in perpetuo Dispensamus Teneñ et Habeñ omnes et singulas Terras aliaq; suprascripŧ cum pertineñ jaceñ ut præfertur dicto Domino Jacobo Scougall ejusq; heredibus et aſsignatis quibuscunq; de nobis et successoribus Nostris superioribus earund in feodo et hereditate

pro perpetuo per omnes suas limites et metas suas antiquas et divisas prout jacent in longitudine et latitudine in domibus ædificiis boscis planis moris maresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularijs columbis columbarijs fabrilibus brasinis breweriis genistis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis et bloodwitis cum furca fosa fock sack thole thame wrack wair waith vert venniſone outfangthief infangthief pit et gallows cum communi pastura liberoq, introitu et exitu ac cum omnibus aliis et singulis libertatibus et commoditatibus proficuis asiamentis ac justis suis pertineñ quibuscunq, tam non nominaŧ quam nominaŧ tam subtus terra quam supra terram procul et prope ad prædictas terras cum pertineñ spectañ seu juste ſpectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua revocatione contradictione impedimento aut obſtaculo quocunq, Reddendo inde annuatim dictus Dominus Jacobus Scougall ejusq, prædicŧ Nobis Noſtrisq, Succeſsoribus jura et servitia debita et consueŧ Præterea pro causis antedicŧ et pro diversis aliis cauſis onerosis et considerationibus nos moveñ Nos Volumus et Concedimus et pro nobis nostriſq, succeſsoribus cum consenſu prædicŧ Decernimus et Ordinamus quod quocunq, tempore quoties et quandocunq, contigerit terras molendinum terras molendinarias aliaq, suprascripŧ cum pertineñ cadere et devenire in manibus nostris vel ſucceſsorum Nostrorum ſuperiorum earund ratione wardæ seu nonintroitus vel eorum alterutrius tempore futuro tum et in eo casu et quam ſæpe idem contigerit legitimum erit heredibus et aſsignatis dicŧ Domini Jacobi Scougall frui et gaudere dicŧ terris molendino aliisq, ſuprascripŧ cum pertineñ et intromettere cum et levare census firmas proficuas et divorias earund durañ dicŧ warda et nonintroitu vel eorum alterutro omni tempore futuro absq, ulla objectione obstaculo seu impedimento facieñ a nobis seu Thesaurariis aut donatoribus nostris eidem aliquo modo ullo tempore futuro Solveñ inde annuatim dicŧ Dominus Jacobus Scougall ejusq, prædicŧ Nobis et ſucceſsoribus nostris dicŧ tempore wardæ ſeu nonintroitus vel eorum alterutrius summam Sexaginta librarum monetæ Scotiæ ad duos anni terminos feſta viz. Pentecostes et Sancti Martini in hyeme per equales portiones Et etiam Solveñ ſummam Sexaginta librarum monetæ prædicŧ tanquam pro relevio prædicŧ terrarum aliorumq, suprascripŧ cum pertineñ quando idem contigerit cum summa Centum et Viginti Librarum monetæ prædicŧ tanquam pro maritagio heredis vel heredum dicŧ Domini Jacobi Scougall ejusq, Aſsignatorum illi in terris alijsq, suprascripŧ Succedeñ tam sæpe id contigerit tantummodo et non amplius, Et hoc pro omni alio onere exactione questione demanda ſeu servitio ſeculari quæ de dictis terris Baronia aliisque antedicŧ per quoscunq, juste exigi poterint quomodolibet vel requiri Ad quas summas jam per hanc nostram Cartam taxatas et modificatas pro valore proficuo et divoria dicŧ wardæ nonintroitus relevii et maritagii respective supra mentionaŧ quoties id contigerit Nos cum consensu prædicŧ ex certa nostra ſcientia et proprio motu Taxamus et Restringimus omnes terras aliaq, ſuprascripŧ in dicŧ vetera tentione per ſimplicem wardam nonintroitum maritagium et relevium teneñ in warda taxata ut præfertur omni tempore futuro pro solutione Summarum monetæ supraspecificaŧ ad quas per hanc nostram Cartam taxantur restringuntur ut præfertur Et nunc ac si terræ aliaq, ſuprascripŧ cum pertineñ cecidiſsent et deveniſsent in manus nostras et ſucceſsorum nostrorum ſuperiorum prædicŧ ratione wardæ nonintroitus vel eorum alterutrius et tunc tanquam nunc Nos cum consensu prædicŧ Dedimus Conceſsimus et Disposuimus tenoreq, præsentium Damus Concedimus et Disponimus heredibus et aſsignatis dicŧ Domini Jacobi Scougall omnia et singula dicŧ wardam nonintroitum cenſus firmas proficua casualitates et divorias dicŧ terrarum aliorumque suprascripŧ teneŧ in warda taxata in modo ſupramentionaŧ durañ toto tempore et ſpatio dicŧ wardæ nonintroitus vel eorum alterutrius Et hoc quoties idem cadere aut occurrere contigerit pro futuro et ſemper et donec ad introitum justi heredis vel heredum respective prædicŧ iis in iisdem ſuccedeñ Una cum omni jure et titulo quæ nos nostriq, ſucceſsores habuimus habemus vel prætendere poterimus dicŧ terris aliisque ſuprascripŧ teneŧ in warda taxata ut prædicitur vel ad cenſus firmas divorias caſualitates et proficuas earund cum relevio et maritagio tam ſæpe ac id cadere contigerit ullo tempore futuro Porro Nos Volumus et Concedimus et pro nobis nostrisque ſucceſsoribus cum consensu prædicŧ Decernimus et Ordinamus quod legitimum erit heredibus aſsignatis et succeſsoribus dicŧ Domini Jacobi Scougall brevia ex noſtra Cancellaria acquirere pro deservitione eorum tanquam heredum proximorum suis prædeceſsoribus qui ultimo obierunt vestiŧ et ſasiŧ in terris aliisq, ſuprascripŧ et eadem debite et legitime proclamata deserviŧ et retornaŧ obtinere et dicŧ heredes debite desuper infeodaŧ in terris aliisq, prædicŧ quandocunq, expedieñ putaverunt tam in eorum minoritate ac si egerint viginti primum annum ætatis et ac si terræ molendinum aliaq, ſuprascripŧ teneŧ in warda taxata ut præfertur tenerentur de nobis et ſucceſsoribus Nostris in libera alba firma Solveñ divoriam taxatam prædicŧ cum relevio et maritagio respective supraspecificaŧ tempore eorum non introitus cum quibus et quoties idem contigerit et cum Judicibus et personis Inquestus Nos cum consensu prædicŧ Dispensavimus tenoreque præsentium pro

nobis et ſucceſsoribus nostris pro perpetuo dispensamus Et similiter Nos in verbo Principis promittimus Ratificare hanc nostram cartam in proxima Seſsione hujus currentis Parliamenti vel in Parliamento proxime sequeñ Insuper Vicecomiti et deputatis suis de Aberdeen necnon dilectis nostris et eorum cuilibet conjunctim et divisim vicecomitibus vicecomitatus nostri de Aberdeen in hac parte ſpecialiter constituť Salutem Vobis præcipimus et mandamus quatenus præfato Domino Jacobo Scougall aut ſuo certo actornato ſasinam omnium et singularum terrarum aliorumque suprascripť jaceñ ut præfertur secundum formam et tenorem antedicť Cartæ quam de nobis inde habet et dispensationis prædicť juste haberi faciatis sine dilatione et hoc nullo modo omittatis Ad quod faciendum Vobis et vestrum cuilibeť conjunctim et divisim vicecomitibus nostris Vicecomitatus de Aberdeen in hac parte antedicť Committimus potestatem In cujus rei Testimonium huic præsenti Cartæ nostræ magnum ſigillum nostrum appendi Mandavimus Testibus prædilecto Nostro Consanguineo et Conciliario Carolo Comite de Selkirk Nobis ab Archivis et Regiſtris Clerico dilecto nostro Conciliario Domino Joanne Maxwell de Pollock nostri Justiciarii Clerico et Domino Carolo Ker nostræ Cancellariæ Directore Datum apud duodecimo die menſis Januarii Anno Domini Millesimo sexcentesimo nonagesimo nono Annoq, Regni nostri decimo. As also His Majestie and Estates of Parliament forsaid Ratifie Approve and Confirm the Precept of Seasine forsaid contained in the Charter abovewritten and Instrument of Seaſine following thereupon in favors of the said Sir James Scougall under the hand of William Johnstoun notar publict of the date the day of one thouſand and ſeven hundred years and Registrat in the particular Register of Aberdeen and Kincardine keept at Aberdeen upon the day of One thouſand ſeven hundred years In all and sundry the haill heads points articles circumstances clauſes tenors and contents of the Charter forsaid after the form and tenor thereof in all points And moreover Our Soveraign Lord and Estates of Parliament Will and Grant and for his Majestie and his Royal Succeſsors Decern Ordain and Declare that the ſame ſhall be good valid effectual and sufficient rights and securities to the said Sir James Scougall and his forsaids in manner and conform to the said Charter aboyementioned for bruicking and enjoying the forsaid haill Lands and others particularly and generally abovementioned and uptakeing the haill maills duties kains customes casualities and profites of the ſame and uſeing and disposeing thereupon at their pleasure in all time comeing without any clag claime stop trouble or impediment whatsomever to be asked or moved by his Majestie or his Royal Succeſsors excepting only the taxt ward duties abovespecified mentioned and set down in the forsaid Charter for now and for ever Dispenseing with the generality forsaid and with the not inserting of the ſeasine following upon the forsaid Charter hereintill verbatim and at length and which is holden herein as repeated brevitatis causa and with all other faults defects and imperfections of the said Charter and infeftment or which may be proponed objected or alleadged againſt the validity thereof or of this present Ratification of the ſame.

RATIFICATION in favors of George Carruthers of Holmainds of the Lands & Barony of Holmainds

OUR SOVERAIGN LORD with the Advice and Consent of the Estates of Parliament of this his Majesties ancient Kingdom of Scotland has Ratified Approven and Confirmed and by these presents Ratifie Approve and Confirm the Charter made & granted by his Majestie under his Great Seal of this Kingdom of the date at Kensington the thirtieth day of May I^{m} vj^{c} and ninety nine years to and in favors of his Majesties lovit George Carruthers eldest lawfull Son of the deceast John Carruthers of Holmaines and his heirs male which failzieing to his heirs & aſsigneyes whatsomever heretably and irredeemably of all and sundry the Lands and others underwritten viz. The twenty pound Land of old extent of Holmainds Little Daltoun Daltounheugh and Blackberrie waird commonly called Bengalhill and the Isle lying within the Water of Annand and all and haill the Lands of Kirkhill and Butterwhat with the mill of Little Daltoun parts pendicles tofts crofts lands cottages outsets tennents tennandries and service of free tennents with the advocation donation and right of patronage of the Kirk of Little Daltoun with the pertinents and all and haill the ten pound land of Ecclefechan of old extent with the mill outsets tofts crofts parts pendicles tennents tennandries and service of free tennents with the advocation donation and right of patronage of the Kirk of Ecclefechan And all and haill the five merk land of old extent of Kirkmuir lying within the parochine of Commertrees with mills multures tofts crofts parts pendicles and pertinents All and haill the two merk six ſhilling and eight penny land of old extent lying within the parochine of Ruthvell called Riveltoun with salt coat salt floor and ſea of the ſamine All and haill the three merk land of old extent of Roſsalls and Robiewhat with the pertinents All and haill the fourty penny land of old extent of the four pound land of Over Dainbie with mills multurs parts pendicles and pertinents of the ſamen All and haill the two merk land of old extent of Heuchwhat with the pertinents of the ſamen All and haill the fourty ſhilling land of 24

old extent called Fourteen aikers with mills multurs parts pendicles and pertinents of the ſame All and haill the three pound land of old extent of Bengallhill alias Bengall and Copewood with mills multurs parts pendicles and pertinents of the same tennents tennandries and service of free tennents of the said lands All and haill the eight merk land of Altoun and Airsbank and two parts of one merk land of old extent of Moffat and Mote with mills tofts crofts parts pendicles and pertinents of the samen All and haill the ten pound land of old extent of Newlands and Persbichall with the two merk land of Crief and one merk land of Glaisbers with mills multurs parts pendicles and pertinents of the ſamen tofts crofts and outsets thereof All and haill the five merk land of Over Warinbie alias Heughheads with parts pendicles and pertinents of the ſamen All and haill the fourty ſhilling land of old extent of Ramerskaills and Greenlands with parts pendicles and pertinents All and haill the seven merk land of Harthwhat with tennents tennandries and ſervice of free tennents with the pertinents belonging to the same with the Lands of Cockethill being parts and pendicles of the ſamen lands lying within the parochine of Lochmaban All unite and incorporat in one free Barony called the Barony of Holmainds lying within the Stewartrie of Annandale and Sherifdome of Dumfreis All and haill the twenty pound land of old extent of Meikle Daltoun with mills multurs ſucken ſequels with the pertinents with the advocation donation and right of patronage of the Kirk of Meikle Daltoun and parsonage of the samen lying within the said parochine Stewartry of Annandale and Sherifdom of Dumfreis forsaid All and haill the three merk land of Almigill and two merk land of Hollieday-hill All and haill the three merk and ten ſhilling land of Muriewhat the ten ſhilling land of Heimeland All and haill the twenty ſhilling land of Brydegill with the pertinents lying within the parochine of Daltoun Stewartry of Annandale and Sherifdom of Dumfreis with the haill woods fishings parts pendicles mills multurs and pertinents of the haill forsaid lands lying in manner respective abovespecified And all and haill the two merk land of Brokelrig All and haill the two merk land of Sorsyke All and haill the two merk land of Nutholme All and haill the three merk land of Tunnergarth All and haill the merk land of Middleshaw All and haill the three merk land in Castlemilk with the half of the merk land in Broatshaw All and haill the ten aikers of land in Northcroft All and haill the two aikers and half of an aiker in Gableholme All and haill these five ruids of land in Johnicsholme All and haill the three aikers of land in the foot of Rewcroft with three dargs of hay in Castlemilk of the Dominical Lands of the ſamen extending to an two merk land extending all the said lands to a sixteen merk and a half merk land with the third part of the mill and wood of Castlemilk with all parts pendicles and pertinents of the said lands lying within the parochine of Saint Mungo Stewartry and Sherifdom forsaid And which haill lands and others abovewritten were all Erected in ane free Barony called the Barony of Holmainds conform to an Charter under the Great Seal granted thereupon to the ſaid deceaſt John Carruthers of Holmainds dated the laſt day of February I^{m} vj^{c} and seventy three years Togither with all right title intereſt claim of right property & poſſeſsion as well petitor as poſſeſsor which his Majestie and his predeceſsors & ſucceſsors had have or any wayes might have claim or pretend to the ſaid lands and others abovewritten or to the maills and duties of the ſame at any time bygone or to come by reason of recognition reduction or any other manner of way right or title whatſomever And which Lands Barony and others abovewritten pertained of before to his Majestie and have fallen and become in his Majesties hands as immediat lawfull Superior of the ſamen by the priviledge & casuality of Superiority municipal Laws and practique of this said Kingdom through alienation and disposition of the said Lands Barony and others abovespecified or the greateſt part of the ſamen or of yearly anuelrents and other Services furth thereof exceeding the greater part of the Rental of the ſamen made and granted by the ſaid deceaſt John Carruthers or his predeceſsors Cedents and Authors to and in favors of ſeveral persons upon which privat or base Infeftments followed without his Majesties consent or confirmation or any other manner of way notwithstanding that the saids Lands Barony and others forsaid were then immediatly holden of his Majestie by the said deceist John Carruthers as his Majesties immediat tennent and vaſsal be service of waird and relief ſo that by the ſame or ane or other of the deeds abovementioned the ſaid Lands Baronies and others abovementioned are recognosced and fallen and become in his Majesties hands as ſaid is And likewayes his Majestie has by the forsaid Charter of new Given Granted and Diſponed to and in favors of the ſaid George Carruthers and his heirs male forſaid Which failzieing to his heirs and aſsigneyes whatsomever heretably and irredeemably all and haill the said Lands and Barony of Holmainds comprehending the haill particular lands mills teinds patronages and others particularly abovewritten lying as said is and erected in an free Barony in manner forsaid with all right title & intereſt which his Majestie his predeceſsors or ſucceſsors had have or any wayes might have claim or pretend to the ſame or any part thereof or to the maills farms profites and duties of the ſame for whatſoever cauſe or occaſion bygone preceeding the date of the ſaid Charter by reaſon of any manner of right or title or by virtue of whatſoever Acts of Parliament or other Laws

Acts Statutes or Conſtitutions of the ſaid Kingdome made or to be made in the contrair All which His Majeſtie has thereby Renunced Transferred and Diſponed in favors of the ſaid George Carruthers and his forſaids for ever And His Majeſtie has by the forſaid Charter Made Conſtitute Created and Erected the Toun of Meikle Daltoun with all and ſundry houſes biggings lands cottages yeards tofts crofts aikers with the pertinents within the Territory of the ſame in a free Burgh of Barony to be called in all time comeing the Burgh of Barony of Meikle Daltoun To the Inhabitants whereof who ſhall be received Burgeſses by the ſaid George and his forſaids His Majeſtie by the ſaid Charter has given liberty of tradeing in manner therein mentioned And also has given to the ſaid George and his forſaids the power of choiſeing yearly Baillies Theſaurers Clerks Serjands and other Officers neceſsar for the Government of the ſaid Burgh with the priviledge of keeping a weekly mercat and five yearly fairs thereat And all and ſundry other liberties and priviledges ſicklike and as freely in all reſpects as is given and granted to any other Burgh of Barony within the ſaid Kingdom of Scotland And in like manner hath by the ſaid Charter United Erected and Annexed all and ſundry the ſaid Lands of Holmainds Meikle and Little Daltouns Ecclefechan Sorſyke Tunnergarth Caſtlemilk Almagill and all the reſt of the lands mills and others abovewritten with the rights of patronage of the Kirks abovementioned togither with the ſaid Burgh of Barony liberties and priviledges of the ſamen in ane haill and free Barony to be called now and in all time comeing the Barony of Holmainds And ane Seaſine to be taken by the ſaid George Carruthers and his forſaids at the manner place of Holmainds is by the forſaid Charter declared ſufficient for the haill forſaids Lands Touns rights of patronage Burgh of Barony mills and others abovewritten with the pertinents in all time comeing to be holden all and haill the ſaid Lands Barony and others abovewritten and rights of patronage of the said Churches with houſes biggings yeards mills mill lands multurs parts pendicles and pertinents of the ſamen all United Erected and lying in manner abovementioned to the said George Carruthers and his forſaids of his Majestie and his ſucceſsors in fie herietadge free Barony and free Burgh of Barony for ever Giveing therefor yearly the ſaid George Carruthers and his forſaids to his Majestie and his ſucceſsors the rights duties and ſervices uſed and wont to be payed furth of the ſaid Lands Burgh Mills Barony and others abovewritten With a Proviſion that whenever the ſaid Lands Burgh Mills Barony and others forſaids ſhould happen to fall in his Majeſties hands or in the hands of his Succeſsors by reaſon of waird nonentry relief and marriage or either of them yet the ſaid George Carruthers and his forſaids ſhall peaceably enjoy and poſſeſs the ſame for payment of the Sums of money aftermentioned viz. For the yearly payment of the Sum of two hundred and ſixty merks Scots money dureing the whole time of the ſaid Waird and Nonentry or either of them and of the like Sum for the relief As alſo of the Sum of five hundred and twenty merks money forſaid for the marriage of the heir when the ſame ſhall happen To which Sums His Majeſtie has by the ſaid Charter Taxed the forſaid waird nonentry relief and marriage and Aſsigned and Diſponed the ſame to the ſaid George Carruthers and his forſaids for ever for payment of the Taxt duties abovewritten And it is thereby furder Declared that it ſhall be leiſum to the heirs and aſsigneyes forſaids of the ſaid George Carruthers ſucceeding in the right of the ſaid Lands Burgh Mills Barony and others abovewritten in all time comeing to enter thereto and obtaine themſelves ſerved and retoured in the ſamen by brieves furth of the Chancellary and thereupon to procure themſelves infeft therein notwithſtanding the ſamen hold waird and they be minors for the time whereanent his Majeſtie has by the forſaid Charter Diſpenſed for ever as the ſamen of the date forſaid more fully proports Togither with the precept of Seaſine contained in the ſaid Charter and Inſtrument of Seaſine following or to follow upon the ſamen in all and ſundry heads articles clauſes conditions proviſions and circumſtances thereof and after the forms and tenors of the ſame in all points Moreover Our ſaid Soveraign Lord with conſent forſaid of the ſaid Eſtates of Parliament Wills Grants Decerns and Ordains that this preſent Ratification is and ſhall be as valid effectual and ſufficient to the ſaid George Carruthers and his forſaids as if the ſamen had been granted before the takeing of Seaſine upon the forſaid Charter and as if the ſamen Charter and Seaſine following or to follow upon the ſamen had been verbatim ingroſsed and inſert hereintill Whereanent and with all Defects and Imperfections that may be moved or objected thereagainſt or this preſent Ratification of the ſamen Our ſaid Soveraign Lord and the ſaid Eſtates of Parliament have Diſpenſed and hereby Diſpenſe for ever.

RATIFICATION in favors of William Hairstaines of Craigs of the Lands & Barony of Craigs

OUR SOVERAIGN LORD with the advice and consent of the Estates of Parliament of this His Majesties ancient Kingdom of Scotland has Ratified Approven and Confirmed and by these presents Ratifies Approves and Confirms the Charter made and granted by his Majestie under his Great Seal of this Kingdom of the date at Kensingtoun the Nineteenth day of April One thousand & seven hundred years to and in favors of

His Majesties lovit William Hairstaines of Craigs and the heirs male to be procreat of his body Which failzieing to the heirs male tailzie provision and others in a Charter granted by the deceift King Charles the Second of bleſsed memory in favors of the deceift John Hairstaines grandfather of the said William Hairstaines therein designed younger of Craigs dated the twenty fourth day of February One thousand six hundreth and sixty five of the Lands underwritten with the pertinents Which failzieing to his other heirs and aſsigneyes whatsomever Of all and haill the ten merk Land of Over Kelwood with tower fortalice manner place houses biggings woods fishings haill parts and pendicles of the samen lying in the paroch of Dumfreis and Sheriffdome thereof And in like manner all and haill the Lands of Nether Kelwood with houses biggings yeards parts pendicles and pertinents of the samen lying in the paroch and ſherifdom forsaid And all and haill the Lands of Bonnerlands with houſes biggings yeards orchyeards woods fiſhings parts pendicles and pertinents of the samen whatsomever lying in the parochine of Carlavrock and ſherifdom-forsaid Which Lands and others abovewritten with the pertinents pertained heretably of before to the said William Hairstaines of Craigs holden by him of his Majestie immediat lawfull superior thereof and were by him and his lawfull procurators in his name Resigned Renunced and Surrendered togither with all right title intereſt claime of right property and poſseſsion as well petitor as possessor which the said William Hairstaines his authors and predeceſsors have or any wayes might have claim or pretend to the ſamen or any part thereof in favors and for new infeftment of the samen to be made and granted to the said William Hairstaines and his forsaids in due and competent form as authentick instruments taken in the hands of William Alves Nottar Publict of the date the twenty eight day of July more fully bears Moreover His Majestie with advice and consent specified in the said Charter has thereby United Annexed and Incorporât the forsaid whole Lands with the pertinents lying as said is in an whole and free Barony to be called now and in all time comeing the Barony of Craigs with all liberties priviledges immunities and jurisdictions of a free Barony as fully and amply as they are enjoyed and poſsest by any other Baron within his Majesties said Kingdome And thereby Ordained the tower fortalice and manner place of Craigs to be the principal meſsuage of the said Barony And one Seasine to be taken there or upon the ground of any part of the said Lands be the said William Hairstaines and his forsaids to be a valid and ſufficient feasine in all time comeing for the said Lands abovewritten notwithstanding the ſame lye discontigue Whereanent and with all other imperfections His Majestie has thereby Dispensed for ever And in likemanner His Majestie has with advice and consent therein specified Ratified Approven and Confirmed all writs evidents rights titles and securities made and granted in favors of the ſaid William Hairstaines his authors and predeceſsors of the haill Lands particularly abovewritten with the pertinents of the same in all and sundry heads articles clauſes conditions oblidgements and circumstances of the samen and after the forms and tenors thereof in all points Dispenseing with the generality of the said Confirmation and all other imperfections and defects which may be moved thereagainst for ever And furthermore His Majestie has by the said Chartor for the causes therein contained of new given granted disponed and perpetually confirmed to the said William Hairstaines his heirs male tailzie and provision and others in the said Charter granted by King Charles the Second in favors of the said deceiſt John Hairstaines grandfather of the said William Hairstaines therein designed younger of Craigs of the date the said fourth day of February I^{m} vj^{c} and sixty five of the Lands above and underwritten with the pertinents Which failzieing to his heirs and aſsigneyes whatsomever all and haill the said ten merk Land of Over Kelwood with touer fortalice manner place houſes biggings woods fishings and whole parts and pendicles of the ſamen lying in the said parochine of Dumfreis and sherifdom of the ſamen As also all and haill the said Lands of Nether Kelwood with houses biggings yeards parts pendicles and pertinents of the ſame lying in the parochine and sherifdom forsaid And all and haill the said Lands of Bonnarlands with houſes biggings yeards orchyeards parts pendicles woods fishings and pertinents of the same whatsomever lying in the said parochine of Carlavrock and sherifdom forsaid Together with all right title interest claime of right property and poſseſsion which his Majestie or his predeceſsors or succeſsors had have or any wayes may have claime or pretend thereto or any part or portion of the samen or to the maills farms profites and duties caines customes and casualities of the same for whatever years or terms bygone or to come by reason of waird nonentry relief marriage escheat &c. or by whatever right or title or by vertue of whatſomever Acts of Parliament Laws Statutes and Constitutions of his Majesties said ancient Kingdom made or to be made in the contrare or by vertue of whatsomever other right casuality or bygone right or for whatsomever cauſe or occasion preceeding the date of the said Charter Renunceing Transferring and Overgiveing the same with all action & instance thereof from his Majestie and his Succeſsors in favors of the said William Hairstaines and his forsaids for now and ever To be holden all and haill the said whole Lands and others abovewritten with the pertinents to the said William Hairstaines and his forsaids of His Majestie and his

Succeſsors immediat lawfull Superiors of the same in free Barony fee and heretage for ever by all right meaths and marches thereof &c. freely quietly &c. well and in peace but any revocation contradiction or obstacle whatsomever Giveing therefore yearly the said William Hairstaines and his forsaids to his Majestie and his Successors Superiors of the ſamen abovementioned the rights duties and services used and wont to be payed furth of the said Lands with the pertinents abovewritten before the said Resignation for all other burden &c. And sicklike His Majestie of his certain knowledge and proper motive be the tenor of the forsaid Charter Wills and Grants and for his Majestie and his forsaids Decerns and Ordains that how oft and whensoever it ſhall happen in all time comeing the said Lands with their pertinents abovenamed to fall and become in the hands of his Majestie or his Succeſsors forsaid by reaſon of waird nonentry or either of them And how oft and whenſoever in all time comeing it ſhould happen the marriage of the said heirs male tailzie provision and others forsaid of the said William Hairstaines to fall and become in his Majestie or his Succeſsors hands yet notwithstanding the forsaid whole Lands and their pertinents and haill maills farms caines customes casualities profites and duties of the samen should remain and abide with the said William Hairstaines and his forsaids in all time comeing dureing the whole time and space of the said waird and nonentry or either of them And notwithstanding of the falling of the said marriage the said William Hairstanes and his forsaids should have full power and liberty of bruicking enjoying and disposeing of the same Likeas His Majestie (then as if the said Lands with the pertinents had already fallen in his hands or in the hands of his Succeſsors be reason of waird nonentry or either of them and as if the marriage of the said heirs had also fallen and now as then) has by the tenor of the forsaid Charter Given Granted and Disponed to the said William Hairstaines and his forsaids the said haill waird and nonentry maills farms cains customes casualities profites and duties of the haill Lands and others abovewritten with the pertinents lying as ſaid is Togither with the Relief of the samen how oft and whensoever it ſhould happen together with the marriage of the said William Hairstaines and his forsaids and haill casualities availls and profites of the samen in all time comeing to be peaceably bruiked enjoyed and poſſeſsed by the said William Hairstaines and his forsaids at their pleasure for yearly payment to his Majestie and his forsaids dureing the whole time and ſpace of the said waird and nonentry or either of them how oft and whensoever the samen ſhall happen in all time comeing of the sum of One hundred pounds Scots money at two terms in the year Whitsunday and Martinmaſs by equal portions with the sum of One hundred pounds money forsaid for the Relief thereof how oft and whensoever the ſamen shall happen Togither alſo with the sum of Two hundred pounds money forsaid for the marriage of the said heirs male tailzie provision and others of the said William Hairstaines how oft and whensoever the samen ſhall happen to fall in the hands of his Majestie and his forsaids To which sums of money abovewritten His Majestie has thereby Taxed the said Waird Nonentry Relief and Marriage And likewayes His Majestie thereby Wills and Grants and for himself and his Successors Decerns and Ordains that it ſhall be leisum and lawfull to the heirs male tailzie provision and others abovewritten of the said William Hairstaines in all time comeing to obtain themſelves Served Retoured Infeft and Seased in the said Lands with the pertinents or any part thereof notwithstanding of their Minority for the time and of the holding of the said Lands in manner abovementioned Whereanent and with the Judges and persons of Inquest in the said ſervices His Majestie has by the said Charter dispensed for ever as the said Charter of the date forsaid in itſelfe more fully bears Togither with the Precept of Seasine contained in the ſaid Charter and Instrument of Seasine following thereon dated the twenty ninth of July I^{m} vij^{c} years under the Signe and Subscription of Robert Lauder Notar Publict Registrat in the new particular Register of Seasines at Dumfreis the twelvth day of September the said year In all and sundry heads articles clauſes conditions and circumstances thereof and after their forms and tenors in all points Moreover Our said Soveraign Lord with consent forsaid of the said Eſtates of Parliament Wills Grants Decerns and Ordains that this present Ratification is and ſhall be as valid effectual and ſufficient to the said William Hairstaines and his forsaids as if the same had been Granted before the takeing of Seasine on the said Charter and as if the ſamen Charter and Seasine following thereupon had been verbatim insert and ingrossed hereintill whereanent and with all defects and imperfections that may be moved or objected thereagainſt or againſt this present Ratification of the same Our said Soveraign Lord and the said Eſtates of Parliament have Dispensed and hereby Dispense for ever.

RATIFICATION in favors of George Logan of Burncastle of Lands in Wester Dudingstoun

OUR SOVERAIGN LORD with the advice and consent of the Eſtates of Parliament of this his Majesties ancient Kingdom of Scotland has Ratified Approven and Confirmed and by these presents Ratifies Approves and Confirms the Charter made and granted by his Majestie under his Great 26

Seal of this Kingdom of the date at Kensingtoun the nineteenth day of April One thousand and seven hundred years to and in favors of his Majesties lovit George Logan of Burncastle and Isobell Douglass his Spouse in conjunct fie and liferent for the said Isobel her liferent use allennarly and to the heirs whatsomever procreat or to be procreat betwixt them Which failzieing to the said George Logan his other heirs and assigneyes whatsomever heretably and irredeemably Of all and haill that oxengate and half oxengate of Land with the pertinents conqueist be the deceist Richard Lawsone elder of Humbie from the deceist Richard Morum lying in the Toun and Territory of Wester Dudingstoun on the south side of the said Toun betwixt the Lands belonging to the deceist Laird of Kippo on the west and the Lands of the deceist Henry Huntar on the east parts And all and haill that oxengate and half oxengate of Land of the said Lands of Wester Dudingstoun which the said deceist Richard Lawson conquest from the deceast John Martine with the pertinents lying in the said Toun and Territory of Wester Dudingstoun on the north side thereof betwixt the Lands of the said deceist Laird of Kippo on the east and west parts And in like manner that other oxengate and half oxengate of Land of the said Lands of Wester Dudingstoun which the said deceist Richard Lawson elder had in conqueis from the daughters and heirs of the deceast James Young with the pertinents lying in the said Toun and Territory on the north side of the samen betwixt the Lands of the said Laird of Kippo on the east and west parts extending in haill to four oxengates and half an oxengate of Land all lying in the Sherifdom of Edinburgh. Which four oxengates and an half oxengate of Land with the pertinents belonged of before to the said George Logan and were by him and his lawful procurators in his name to that effect specially Constitute duely and lawfully Resigned in the hands of the Lords of Thesaury and Exchequer as in the hands of His Majestie immediat lawfull Superior thereof in favors and for new Infeftment thereof to be given and granted to the said George Logan himselfe and the said Isobel Douglas his Spouse in conjunct fie and liferent for her liferent use as said is and to the heirs whatsomever procreat or to be procreat betwixt them Which failzieing to the said George Logan his heirs and assigneyes whatsomever heretably and irredeemably in due and competent form as accords as authentick Instruments upon the said Resignation taken in the hands of
Nottar Publict upon the day of
years more fully proports And likewayes His Majestie has by the said Charter for the causes therein contained Of New Given Granted Disponed and perpetually Confirmed to the said George Logan and his said Spouse in conjunct fie and liferent for her liferent use allennarly as said is and to the said heirs whatsomever procreat or to be procreat betwixt them Which failzieing to the said George Logan his heirs and assigneyes whatsomever heretably and irredeemably All and haill these said four oxengates and half an oxengate of land lying and bounded as said is togither with all right title interest claime of right property and possession as well petitor as possessor which His Majestie or his Predecessors or Successors had have or any wayes may have claime or pretend to the samen or any part thereof or to the maills farms kains customes casualities profites and duties of the samen for whatsomever years or terms bygone or to come by reason of waird nonentry &c. or any other right or title or by vertue of whatsoever Acts of Parliament Laws Statutes and Constitutions of the said Kingdom made or to be made or by vertue of whatever other right casuality or pretence of right and for whatever cause or occasion preceeding the date of the said Charter Renunceing Transferring and Surrendering the samen with all action and instance thereof from his Majestie and his Successors in favors of the said George Logan and his forsaids for now and ever And moreover His Majestie has by the forsaid Charter Ratified Approven and Confirmed to the said George Logan and his forsaids all and sundry Contracts Dispositions Procuratories and Instruments of resignation Charters Precepts and Instruments of Seasine and all other writs rights and securities whatsomever Made and Granted in favors of the said George Logan his authors and predecessors of the Lands abovewritten with the pertinents or any part of the samen in all and sundry heads articles clauses & conditions of the samen and after the forms and tenors thereof in all points And His Majestie by the tenor of the said Charter for himselfe and his forsaids Wills and Grants that the said Charter of Confirmation shall be of as great strength and effect to the said George Logan and his forsaids as if the haill rights above mentioned were word by word therein insert And as if the forsaid Confirmation had been made & granted before the decease of the granters of the said writs and rights and before the takeing of Seasine thereupon Whereanent and with all imperfections and objections that may be moved against the said Confirmation His Majestie has by the forsaid Charter dispensed for ever And in likemanner His Majestie by the forsaid Charter Wills and Grants and for himselfe and his Successors forsaid Decerns and Ordaines that one Seasine to be taken by the said George Logan his said Spouse and his forsaids in all time comeing at or upon the ground of any part of the said Lands shall be valid and sufficient for the whole Lands abovewritten with the pertinents notwithstanding that the samen lye discontigue Whereanent and with all that may be moved or objected thereagainst His Majestie has by the forsaid Charter Dispensed forever To be holden all and haill the said

four oxengates and half oxengate of land with the pertinents lying and bounded as said is to the said George Logan and his said Spouse in conjunct fie and liferent for her liferent as said is and to the said heirs procreat or to be procreat betwixt them Which failzieing to his other heirs & aſsigneyes whatſomever of his Majeſtie and his Succeſsors immediat lawfull Superiors thereof in fie and heretadge for ever by all right meaths &c. friely quietly &c. well and in peace without any contradiction revocation or obstacle whatſomever Giveing therefore yearly the said George Logan his said Spouſe and their forſaids to his Majeſtie and his Succeſsors Superiors of the same abovewritten the rights duties and services used and wont to be payed furth of the samen Lands with the pertinents before the said Resignation And moreover His Majestie by the forsaid Charter Wills and Grants and for his Majestie and his Succeſsors Decerns and Ordains that how oft and whensoever it ſhall happen in all time comeing the said Lands with the pertinents thereof to fall and become in the hands of his Majestie or his Succeſsors by reason of waird nonentry and either of them And how oft and whensoever the marriage of the heirs and Succeſsors of the said George Logan and his forsaids ſhall happen to fall in the hands of his Majeſtie and his forsaids yet notwithstanding thereof the said Lands and others abovewritten shall remain and abide with the said George Logan his said Spouse and their forsaids And they ſhould peaceably bruik enjoy and poſseſs the ſamen with the pertinents and haill maills farms kaines customes casualities profites and duties of the samen dureing the whole time of the said waird and nonentry or either of them respective and notwithstanding of the vaiking of the said marriage Likeas by the said Charter his Majestie (as if the said Lands had been then already fallen in his hands by reason of waird & nonentry or either of them and as if the marriage of the heirs of the said George Logan had then also fallen in his highneſs's hands) did Give Grant and Dispone to the said George Logan his said Spouse and his forsaids the haill Waird and Nonentry duties of the said Lands dureing the haill space of the Waird and Nonentry thereof or either of them how oft the ſame ſhall fall out togither with the Relief and Marriage of the heirs when they ſhall happen Giveing therefor yearly the said George Logan and his forsaids to his Majestie and his Succeſsors Superiors forsaid the Taxt Duties of Waird Nonentry Relief and Marriage underwritten viz. during the whole time of the said Waird and Nonentry and either of them how oft and whensoever they shall happen the sum of fourty pounds Scots money at two terms in the year Whitsunday and Martinmaſs in winter by equal portions with the sum of fourty pounds money forsaid for the relief when it ſhall happen togither with the sum of Eighty pounds money forsaid for the Marriage of the heirs and succeſsors of the said George Logan and his forsaids how oft and whensoever the ſamen shall happen to fall in the hands of his Majestie and his forsaids To which sums His Majestie of his certain knowledge and proper motive has by the said Charter Taxed the Waird Nonentry Relief and Marriage of the said Lands in all time comeing And farder His Majestie by the tenor of the forsaid Charter Wills and Grants and for his Majestie and his forſaids Decerns and Ordains that it ſhall be lawfull to the heirs and succeſsors of the said George Logan and his forsaids to obtain and procure themselves Served Retoured Infeft and Seased in the forsaid Lands with the pertinents at whatsomever time of their age it shall please them Whereanent and with the Judges and persons who shall be upon the said Inquests His Majestie has by the forsaid Charter dispensed for ever as the ſamen Charter of the date forsaid in itselfe more fully proports Togither with the Precept of Seasine contained in the said Charter and Instrument of Seasine following thereupon dated the twenty seventh day of July One thousand and seven hundred years under the Signe and Subscription of William Alves Writer to the Signet and Notar Publict Registrat in the new particular Register of Seasines within the Sheriffdoms of Edinburgh Hadingtoun Linlithgow and Bathgate at Edinburgh the ninth day of September One thousand and seven hundred years forsaid In all and sundry heads articles clauses conditions oblidgements provisions and circumstances thereof and after the forms and tenors of the ſamen in all points Moreover Our said Soveraign Lord with consent forsaid of the said Estates of Parliament Wills Grants Decerns and Ordains that this present Ratification is and ſhall be as valid effectual and sufficient to the said George Logan his said Spouse and their foresaids as if the same had been granted before takeing of Seasine upon the foresaid Charter and as if the samen Charter and Seasine following thereupon had been verbatim ingroſsed and insert hereintill Whereanent and with all defects and imperfections that may be moved or objected thereagainſt or againſt this Ratification of the samen Our said Soveraign Lord and the said Estates of Parliament have Dispensed and hereby Dispense for ever.

RATIFICATION of a Contract betwixt the Burghs of Glasgow and Dumbartoun anent their rights & privileges to the river of Clyde

OUR SOVERAIGN LORD with advice and consent of the Estates of Parliament Ratifies Approves and for his Majestie and his succeſsors perpetually Confirms an Contract and Agreement entered into and past betwixt the two Burghs of 27

Glasgow and Dumbartoun whereof the Tenor follows AT Edinburgh Dumbartoun and Glasgow the Twelvth Twenty eight and Twenty ninth dayes of June One thousand and seven hundred years It is appointed contracted and finally ended and agreed betwixt the parties following to wit John Anderson of Dowhill present Provest of Glasgow Robert Rodger Mathew Cumming and George Nisbet present Baillies of the said Burgh John Aird younger present Dean of Gild thereof John Wardrope Deacon Conveener Robert Yuil Thesaurer of the samen with the ſpecial advice and consent of James Peadie William Napeir James Sloſs William Wardrop John Aird elder John Corſs Mathew Cumming elder George Muirhead John Gibson Andrew Cathcart Gavin Wood Robert Alexander William Barclay George Buchannan Symon Tennent Thomas Hamilton Thomas Pollock George Robertson John Robertson Steven Crauford Francis Stevenſon Robert Dickie and Robert Scot Councillours of the said Burgh And the said members of Councill for themselves and they all with one consent and aſsent and as takeing burden in and upon them for the remanent Burgeſses Deacons of Crafts and Community of the said Burgh of Glasgow and the said Deacons of Crafts for themselves on the one part and Tobias Smollet younger of Bonnill present Provost of Dumbartoun Robert Duncanson and Robert Mushet Baillies thereof David Craig Dean of Gild David Strachan Thesaurer of the samen Burgh with the special advice and consent of William Craig William William Campbell John Colquhoun James Porterfield Andrew Graham William Lindsay John Nasmith John Martine James Lindsay and David Macklow Councillors of the said Burgh And the said Members of Council for themselves and takeing burden in and upon them for the remanent Burgeſses Deacons of Crafts and Community of the said Burgh and the said Deacons of Crafts for themselves on the other part in manner form and effect following that is to say Forasmuch as the said two Burghs of Glasgow and Dumbartoun and Representatives thereof found it mutually prejudicial to others that of a long time bygone there has not been that Correspondence keeped up betwixt them which would have tended considerably to both their advantadges And that this hath chiefly ariſen from their severall pretensions to the priviledges of the river of Clide In the prosecution whereof many differences have fallen out And at length there was an Action and Cause of Declarator first raised and intented before the late Commissioners for administration of Justice to the people of Scotland at the instance of John Bell then Provest of the Burgh of Glasgow Frederick Hamilton James Rae and Andrew Mudie then Baillies of the said Burgh James Campbell then Dean of Guild and James Colquhoun Thesaurer and Walter Neilson and Manaſseh Lyell then Deacons Conveeners of the said Burgh all persons of the Common Councill for themselves and in name and behalf of the remanent Burgeſses Councill and Community of the samen against Walter Watsone then Proveſt of the Burgh of Dumbartoun John Cunninghame and Mr Donald Mackalpine Baillies of the ſamen Burgh and John Smollet then Dean of Guild for themselves and in name of the Common Council thereof and remanent Burgeſses and Inhabitants and all others haveing or pretending to have intereſt And thereafter walkened and insisted in before the Lords of Council and Seſsion at the instance of the said John Bell late Proveſt of the said Burgh of Glasgow James Campbell Robert Rae and James Colquhoun late Baillies there John Barns late Dean of Guild of the samen Burgh persons of the Common Council thereof for themselves and in name and behalf of the remanent Council of the same Burgeſses and Community thereof against the said Walter Watsone Proveſt of the said Burgh of Dumbartoun Robert Watsone and Mr Donald Mackalpine Baillies thereof John Smollet Dean of Guild William Mackie elder Thesaurer James Mun William Craig Patricks Williamson elder and younger Patrick Ewing John Mackaulay James Mackean Gabriel Porterfield John Cunningham and James Thom persons of the Common Council of the said Burgh for themselves and in name and behalf of the haill remanent Burgeſses Community and Inhabitants of that Burgh and all others haveing or pretending to have intereſt in the matter underwritten Makeing mention that where albeit the said Burgh of Glasgow situat upon the said River of Clide was of old Erected in a free Burgh Royal with all liberties freedoms and priviledges belonging to a free Burgh more especially with as much freedom as was allowed to any other Burgh within the Nation And thereby naturally and as a neceſsary and eſsential point of freedom had right and priviledge of merchandizeing sailing out and in with their ships barks boats and other veſsells upon the river of Clide And to arrive load and unload their goods at the places convenient within the ſaid River and acknowledged and reputed a free Burgh long before the Burgh of Dumbartoun had any foundation erection or being by the publict acts and records of the Parliaments Conventions of Estates Conventions of Burrows Acts of the Councils of the Kings of Scotland and of all publict Judicatories within the ſame And therfore allowed place and precedency to ride sit and vote in Parliament and in all publict and national meetings long before the Burgh and Toun of Dumbartoun In so far as that the Burghs and Touns of Air Irving Renfrew Dumfreis and several other Burghs to the number of twenty six or thereby whilk give place to the said Burgh of Glasgow and are ranked and ordered after Glas-

gow have place and priority before Dumbartoun For by a Charter by King Robert Ratifieing and Confirming a Charter granted by King Alexander erecting Glasgow in a free Burgh with as much freedom as is allowed to any Burgh within the Nation Whilk Charter relates to an anterior Charter granted to the said Burgh by King William who was father to the said King Alexander whereby the like benefite and priviledge of Erection is Granted to the Burgh of Glasgow as the said Charter dated the eighteenth year of the reigne of King Robert more fully proports And by a Charter Granted by King Alexander the twenty sixth year of his reigne Ratified and Confirmed by King Robert the twenty third year of his reigne there is priviledge and liberty granted to the Citizens of Glasgow to traffick to Argyle and to pafs thither and repafs without any impediment And their said trafficking to Argyle being hindred and opposed by the men of Dumbartoun pretending Argyle to be upon their fide of the firth of Clide and so within their priviledge; By the whilk Charters of King Alexander and Charter of King Robert Confirming the fame it is declared that this trafficking and liberty to Argyle was Granted to Glasgow before the foundation of Dumbartoun and fo before it was a Toun and had any being And by a mutual Indenture betwixt the Burghs of Glasgow and Dumbartoun dated in Anno One thousand four hundred and ninety nine years the said two Burrowes contracted and agried for all times thereafter to a mutual Compliance and Correspondence and the defence and maintainence of each of the others priviledges condescending to an equal interest of the river of Clide neither of them pretending priviledge or prerogative over the other Neither is there any syllable in all that Indenture fo much as pointing to any of these presumed priviledges over Glasgow now contraverted by Dumbartoun And by an act of Burrows in their Convention dated the nyneteenth day of June One thousand and six hundred years relating to a Supplication presented to the meeting of the Burrows by the Toun of Dumbartoun Craveing a fupply for upholding of their bulwarks founded by them for withstanding the Irruptions of the water of Leven whilk threatned the takeing away of their City And by a posterior Act of the faid Convention of Burrows of the date the seventeenth day of November thereafter relative to the said first act and relative to an act of the King and Council for the time consequent to the said first act of the Burrows there is an impost and exaction of certain petty dues upon the river of Clide granted to the Toun of Dumbartoun for the space of seven years allennarly Whilk Impost and Exaction is Declared & Restricted to be only of vessells and goods Imported to their own road and harbour of Dumbartoun in the water of Leven expreſsly debarring and secludeing them from meddleing with any thing belonging to the priviledge of Glasgow within the said river of Clide Whereby it is manifest that the said Toun of Dumbartoun before and at the time of the said Acts of Burrows had not nor did not plead any right or priviledge fuperior and prejudicial to the priviledge of the said Burgh of Glasgow in the said river of Clide or to any benefite arifeing therefrae and from vessells and goods imported therein Moreover the said Burgh of Glasgow by their Charter under the great Seal Granted by King James the Sixth in the year One thousand six hundred and eleven years Ratified in Parliament One thousand six hundred and twelve years whereby all their former rights Charters and priviledges grants and gifts and Acts concerning the samen are Ratified Approved and Confirmed and have freedome liberty and power granted to them of loading and unloading of ships boats barks and crears and other vessels of whatsomever kind of buying of all forts of goods and merchandize as well of all ships as of other kind of veſsells belonging either to Strangers or Natives comeing into Clide within the bounds betwixt the Cloch Stone and the Burgh of Glasgow according to use and wont Conform to the which Charter long before and ever since the said Pursuers and their predeceſsors Proveſt Baillies Council Burgeſses Inhabitants and Community of the said Burgh of Glasgow have enjoyed the said right and priviledges before related and have been in possession thereof past all memory And notwithstanding the said Burgh of Dumbartoun by no evident right or title whatſomever can plead or pretend any priviledge or right upon the said river of Clide over any vessells ariveing therein or goods imported in the same different or more then is allowed to the said Burgh of Glasgow or to any Customes Anchorages Measureages and other petty dues in use to be payed and demanded of the vessells and goods of Strangers arriveing in the said water But the said two Burrows of Glasgow and Dumbartoun past all memory and ever since the mutual Indenture in the said year One thousand four hundred and ninety nine years Corresponding and Complying in a joint and equal intereſt in the freedom of the said river of Clyde and benefite of anchorage and measureage and other dues in use to be payed by strangers arriveing therein and ay and while a Charter was purchast by the said Toun of Dumbartoun from King James the Sixth in the year of God One thousand six hundred and nine years by whilk and the new grant therein included they acclaimed the right and priviledge of dues in the said river of Clide solely and wholly to themselves in so far that the said Toun of Glasgow and merchants therein ought and ſhould arrive at their Burgh make Entries and take Cocquets there load and unload there make ſale of their Commodities therein and should in effect and by neceſsar con-

sequence reside at and incorporat with the said Toun of Dumbartoun Posterior to the whilk Charter by Act and Interloquitor dated in the year of God One thouſand six hundred and eleven years pronunced by the Lords of Seſsion in order to a Suspension raiſed by the Toun of Glaſgow againſt a Charge of horning given to their merchants at the instance of the Burgh of Dumbartoun concerning their priviledge in the said river and the dues payable and ariseing from the Ships and goods imported therein After full hearing of both parties compearing by their Advocats on each side and production of all their rights hinc inde the said Toun of Glasgow is found to have right in manner forsaid Attour all contraversies and debates ariseing dayly betwixt the said two Burghs anent the said priviledges and dues of the said river by mediation of the Burrows of Scotland at their Convention in the year of God One thousand

the said Burghs of Glasgow and Dumbartoun being persuaded to submit their contraversies whatsomever and debates being or ſtanding betwixt the said Touns to certain Merchants of the Burgh of Air And to that effect to Subscribe a Submiſsion most solemnly attested by the Magistrats and Council of the said two Burghs Conform to the said Submiſsion decreet was pronunced by the said merchants of Air Arbiters Finding and Declareing the said Burghs of Glasgow and Dumbartoun to have equal intereſt & priviledge in the said river and to the dues forsaid ariseing therefrae Nevertheleſs Walter Watson Provest John Cunningham and Mr Donald Mackalpine Baillies of the said Burgh of Dumbartoun John Smollet Dean of Guild persons of the Common Council of the said Burgh and remanent Burgeſses Inhabitants of the samen dayly troubles and molests the said pursuers in the enjoyment and poſseſsion of their priviledges in the said river of Clide and of the dues ariseing therefrae in manner forsaid Wherethrough neceſsar it was to the said pursuers and it ought and should be found and declared by the honourable Commiſsioners for administration of Justice to the people in Scotland that the Provest Baillies Council and Community of the said Burgh of Dumbartoun has no right to Exact or Uplift from the Inhabitants Burgeſses and Community of the said Burgh of Glasgow nor of any veſsells or ships belonging to them or fraughted by them arriveing within the said river of Clide at the forsaid roads and ports of Potterig Inshgreen and Newwark any anchorage weighage measureage tunnage dockmaill cockets and other dues whatsomever But that it is lawfull for the Provost Baillies Council and Community of Glasgow to arrive with their ships and goods within the river of Clide specially at the forsaid roads and ports of Potterig Inshgreen and Newwark and to load and unload there and to transport their goods upon the river of Clide to Glasgow free of the burden of the forsaid pretended duty of anchorage measureage weighage tunnage dockmaill or other dues whatsomever to the Toun of Dumbartoun And that therefore the Provest Baillies Council and Community and Inhabitants of the said Burgh of Dumbartoun should be decerned to desist and cease from all farder troubleing or molesting the said Purſuers Provest Baillies Council Community and Inhabitants of the said Burgh of Glasgow in arriveing with their ships and goods upon the river of Clide and loading and unloading their ships and goods at the said roads as was alleadged And therefore the said Defenders conform to the said principal Summonds and Summonds of walkening for themselves and the remanent Burgeſses Inhabitants and Commùnity of the said Burgh of Dumbartoun and all others haveing or pretending to have interest in the said matter to have heard and seen it Found Decerned and Declared in manner abovewritten as at more length is contained in the principal Summonds raised in the said matter Summonds of Walkening thereof Acts Letters and haill proceſs following and depending thereon The said Provest Baillies Dean of Guild Council and Community of the said Burgh of Glasgow Pursuers for themselves and their succeſsors representing the said Burgh compearing by Sir George Lockhart Mr Robert Trottar Mr George Norvell Mr John Harper Mr David Falconer and William Bradie Advocats their Procurators who for instructing of the said Summonds and Action produced in presence of the said Lords the forsaid Charters Acts of Council and Burrows Act and Interloquitor of the said Lords Indenture and Agreement past betwixt the said Burghs and others at length abovementioned all of the dates tenors and contents respective above mentioned And the said Proveſt Baillies Councill and Community of the said Burgh of Dumbartoun compearing by Sir Peter Wedderburn Sir Thomas Wallace Sir Robert Sinclair Mr William Maxwell Mr John Cunningham and Mr George M'kenzie Advocats their Procurators, and all others haveing or pretending to have interest in the said matter being lawfully summoned to this action Thereafter all the rights reasons and allegations of either of the said parties compearing as said is with the forsaid principal Summonds raised and intented before the said late pretended Commiſsioners and Summonds of walkening thereof raised and insisted upon before the said Lords with the forsaid Charters Acts of Council and Burrows Act and Interloquitor of the said Lords Indenture and Agreement all of the dates tenors and contents abovementioned and lybelled with a proteſtation made and taken for the Burgh of Glasgow againſt the Burgh of Dumbartouns great Charter And the Minuts of proceſs in diverse Courts holden by the Magistrats of Glasgow and Dumbartoun conjunctim frae the year of God One thousand and ninety

one inclusive anent the mutual affairs of the said Burghs and anent the managdement of trade on the River of Clide and anent ships and goods arriveing there Item a Summonds raised before the Lords of his Majesties Privy Council at the instance of the Magistrats and Inhabitants of the Burgh of Glasgow against the Magistrats Council Community and Inhabitants of the Burgh of Dumbartoun dated the second day of November I^{m} vj^{c} and sixteen years Item Letters of Suspension of Lawborrows the Toun of Glasgow against the Toun of Dumbartoun dated the second day of October I^{m} vj^{c} and thirty eight years Item Letters of Louseing of Arriestment the Toun of Glasgow againſt the Toun of Dumbartoun dated the fifteenth day of April I^{m} vj^{c} and ten years Item Summonds and Action of Reduction the Toun of Glasgow against the Toun of Dumbartoun dated the sixth day of October I^{m} vj^{c} and fifty eight years Item Letters of Louseing of Arriestment at the Toun of Glasgows instance against the Toun of Dumbartoun dated the twenty first day of November I^{m} vj^{c} and fifty seven years Item Letters of Lawborrows with the Executions thereof raised at the instance of the Magistrats and Inhabitants of the Burgh of Glasgow againſt the Magistrats and Inhabitants of the Burgh of Dumbartoun dated the seventeenth day of December I^{m} vj^{c} and fifty seven years Item a Suspension of Lawborrows with the Intimation or Execution therof raised at the instance of the Magistrats and Inhabitants of the said Burgh of Glasgow against the Toun of Dumbartoun and Inhabitants thereof dated the twenty day of January I^{m} vj^{c} and fifty eight years Item a Suspension of Letters of horning raised at the instance of the Magistrats and Inhabitants of the Burgh of Dumbartoun against the Magistrats of the Burgh of Glasgow and Inhabitants thereof chargeing them for certain of the dues lybelled dated the twenty fifth day of November I^{m} vj^{c} and fifty seven years Item thirty nine piece of paper being all subscribed entries of ships that arrived in the said river of Clide all entered at Glasgow from the year of God I^{m} vj^{c} and thirty five to the year of God I^{m} vj^{c} and thirty eight years Item six uncovered books and one covered containing the customed goods of merchants imported and exported by the merchants of Glasgow and other Strangers to and frae the said Burgh of Glasgow to and from the river of Clyde from the year of God I^{m} vj^{c} and twenty eight to the year of God I^{m} vj^{c} and fourty one years Item a decreet of Counsil dated the sixth day of May I^{m} vj^{c} and fifty eight years whereby the Magistrats and Inhabitants of the Burgh of Dumbartoun were found to have committed a great ryot in troubling the Merchants of Glasgow in forceing and compelling them to make their entries at Dumbartoun Togither also with the Depositions of diverse famous Witneſses led and deduced by either parties hinc inde in this matter And also in an other action pursued by the Magistrats Council and Community of the said Burgh of Dumbartoun againſt the pursuers and inhabitants of the said Burgh of Glasgow being with a litigious dispute betwixt the said two Burghs and their pro^{rs} respective all at length heard read seen and considered by the said Lords and they therewith being well and ripely advised the Lords of Council and Seſsion Fand and Declared that the said Provest Baillies Council and Community of the Burgh of Dumbartoun have no right to exact or uplift from the Inhabitants Burgeſses and Community of the said Burgh of Glasgow nor any vessells or ships belonging to them or fraughted by them arriveing in the said river of Clide at the forsaid roads and ports of Potterrig Inchgreen and Newwark any anchorage measureage weighage tunnage dockmaill cockets or other dues whatsomever And Fand and Declared that it was lawfull for the said Provest Baillies Council Inhabitants and Community of Glasgow to arrive with their said ships and goods in the river of Clide and specially at the forsaid roads and ports of Potterrig Inshgreen and Newwark and to load and unload there and to transport their goods upon the river of Clide to the said Toun of Glasgow free of the burden of the forsaid pretended duties of anchorage weighage measureage tunnage dockmaill cockets and other dues whatsomever to the said Toun of Dumbartoun And Decerned and Ordained the said Proveſt Baillies Council Community Burgeſses and Inhabitants of the said Burgh of Dumbartoun to desist and cease frae all troubleing molesting or impediment makeing to the Pursuers Provest Baillies Council Burgeſses and Inhabitants of the said Burgh of Glasgow present and to come in arriveing with their ships and goods upon the said river of Clide and loading and unloading their ſhips and goods at the said roads and ports of Potterrig Inchgreen & Newwark and transporting their goods from thence to Glasgow free of the burden of the forsaid pretended dues or any of them to the said Burgh of Dumbarton as parties haveing no right thereto in so far as is above found Decerned and Declared notwithstanding of their Action of Declarator pursued against the said Burgh of Glasgow Magistrats Inhabitants and Community thereof Which togither with the Charters Infeftments books of Entries and other rights and depositions of witneſses adduced by the said Burgh of Dumbartoun is at length thereintill considered And frae whilk by decreet of the date of thir presents the said Magistrats Community and Inhabitants of the said Burgh of Glasgow are fully Aſsoilzied and Exonered in manner at length ſpecified in the said decreet as the samen of the date at Edinburgh the eight day of February I^{m} vj^{c} threescore six years at more length bears Notwithstanding of the which decreet there haveing seve-

ral new Questions arrisen betwixt the said two Burghs anent the extent of their several priviledges which has occasioned much animosity and difference beside the charge and expences thereof For preventing whereof in time comeing and to the effect there may be a lasting friendship and due correspondence inviolably observed betwixt the said two Burghs in all time hereafter Therefor the said Provest Baillies Dean of Gild Thesaurer and Toun Council of the said Burgh of Dumbartoun for themselves and in name and behalf of and takeing burden upon them as said is do by these presents Ratifie Approve and Confirme the forsaid Decreet of Declarator obtained at the instance of the Toun of Glasgow before the Lords of Council and Sefsion againſt the Toun of Dumbartoun in anno I^{m} vj^{c} and sixty six Declareing the priviledges therein Decerned to belong to the said Toun of Glasgow As also the forsaid other Decreet of Absolvitor obtained at the instance of the said Magistrats and Toun of Glasgow against the Magistrats of the Toun of Dumbartoun in the year forsaid Whereby the said Toun of Glasgow is Aſsoilzied from the Declarator raised againſt them at the instance of Dumbartoun anent certain priviledges of the river of Clide therein mentioned in the haill heads articles and clauſes thereof with the poſsefsion attained by the said Burgh of Glasgow and their Burgeſses and Inhabitants by vertue of the said decreets whereby they are and have been free of the haill Duties formerly acclaimed by the Magistrats and Burgh of Dumbartoun upon the account of their Ships and other Veſsells loading and livering within the river of Clide Which duties and impositions are hereby discharged in all time comeing And the said Magistrats and Toun Council of Dumbartoun for themselves and in name and behalf forsaid do hereby bind and oblidge them and their Succeſsors in office that they shall never stop trouble or moleſt the Burgeſses Inhabitants and others belonging to the Toun of Glaſgow in any time comeing in the peaceable poſsefsion of the rights and priviledges decerned in favors of the said Burgh of Glasgow by the forsaid decreets and sentences of declarator and absolvitor respective and that the said Magistrats and Toun Council of Dumbartoun shall not move any action plea or question against them thereanent nor against their Succeſsors in any time hereafter And sicklike the said Provost Baillies and Council of the Burgh of Dumbartoun and Deacons of Crafts for themselves and in name and behalf of and takeing burden upon them as said is haveing considered that the duties whereunto they have right of weighage tunnage anchorage measureage dock maill cockets and other dues whatsomever payable to the Burgh of Dumbartoun by all Strangers Ships unloading within the said River of Clide hath created to the said Toun of Dumbartoun a great dale of trouble and vexation beside the expence in uplifting thereof which most ordinarly exceeded the dues themselves As also considering that diverse and sundry debates and questions have fallen out betwixt the said two Burghs anent the uplifting of the said duties the Toun of Glasgow pretending that by vertue of their decreets above mentioned pronunced in their favors that any of the Burgeſses of Glasgow haveing interest by fraught or otherwayes in these strangers ſhips did make the samen free of duty to the Burgh of Dumbartoun Likeas the said Burgh of Dumbartane being oft times defrauded of the duties payable by Strangers who had no ſhift nor excuſe but haveing past speedily out of the river before ever the said Burgh of Dumbartane was acquainted of their comeing thereto And farder another debate has frequently happened anent the Touns offers due and in use to be made by all Strangers who imported goods and merchandize to the said River of Clide whereby they ſtand oblidged to make the firſt offer of their goods and merchandize ſo imported by them to the said two Burghs of Glaſgow and Dumbartoun at such a price and rate as the said Strangers offerers ſhall not have power or liberty to undersell the samen to others And it haveing often happened that both the said Burghs were diſappointed of the benefite of the said offers by certain stratagems and devices made by the Importers as sometime by consignation of the Goods imported to ſome of the Burgeſses of the said Burghs thereby simulateing to them a right whereas in effect they had none but of purpoſe to defraud the said Burghs of their just rights And in the mean time raiſeing thereby an animosity betwixt the Burghs themselves anent the benefites of the said offers whereof both were disappointed And it being therefor Agreed that not only the dues payable by the Strangers Ships who have no intereſt in the river of Clide but alſo the benefite and priviledge of the Touns offers should in all time comeing ſolely appertain and belong to the said Magistrats Toun Council and Community of the Burgh of Glasgow Therefore and for certain other onerous Causes aftermentioned the said Provest Baillies and Toun Councill of the Burgh of Dumbartoun for themselves and in name and behalf of the Deacons of Crafts and Community of the samen Burgh to have Sold Aſsigned and Disponed from them and their Succeſsors in office Likeas they do by these presents Sell Assigne and Dispone from them and their forsaid Succeſsors to and in favors of the said Proveſt Baillies Council and Community of the said Burgh of Glasgow and their Succeſsors all and haill the said Duties formerly payable to the said Burgh of Dumbartoun of weighage tunnage anchorage measureage dockmaill cockets and haill other duties whatsomever due and payable by all Ships Barks &c. whereof the freemen Inhabitants of the said Burgh of Dumbartoun are not owners or fraughters and

who shall happen to load or unload within the samen river of Clide in all time comeing And sicklike all and haill the said Burgh of Dumbartoun their ſhare and proportion of any offers due and lyable to be made by Strangers not freemen Inhabitants of the said Burgh of Dumbartoun who shall Import any goods to the said river of Clide in time comeing with all right title interest property and poſſeſsion as well petitor as poſſeſsor which the said Magistrats Council and Community of the said Burgh of Dumbartoune had has or any wayes may have claime or pretend in and to the said duties particularly abovewritten and Touns offers abovementioned and that to and in favors of the said Proveſt Baillies Toun Council and Community of the said Burgh of Glasgow present and to come whom they have Surrogate and hereby Surrogate and Substitute in their full right title and place of the premiſses for now and ever With full power to the said Provost Baillies and Toun Council of Glasgow and their Succeſsors for themselves and in name and behalf abovewritten to intromet with uplift ask crave and receive the said duties of weighage tunnage anchorage measureage dockmaill cockets and other dues whatsoever As also the Touns offers in ſo far as the samen did formerly belong to the said Burgh of Dumbartoun with the haill profites priviledges emoluments casualities and duties belonging thereto and if need beis to conveen call follow and pursue therefor and to use all diligence and execution for inbringing of the samen sicklike and as freely in all respects as the said Provost Baillies and Council of the said Burgh of Dumbartoun or their predecessors have done or might have done at any time before the makeing hereof Provideing allwayes that thir presents do no wayes prejudge the said Burgh of Dumbartoun as to the freedoms liberties and immunities of all ships barks boats &c. belonging to or fraughted by the Burgeſses and freemen Inhabitants of the said Burgh within the said river of Clide notwithſtanding of what is above disponed to the said Burgh of Glasgow Which Ratification and Confirmation of the decreets abovementioned togither also with the right and disposition of the duties abovewritten the said Provost Baillies and Council of the Burgh of Dumbartoun for themselves and takeing burden in and upon them as said is Bind and Oblidge them and their Succeſsors in office to be good valid and sufficient to the said Provost Baillies Council and Community of the said Burgh of Glasgow and their Succeſsors from their own proper facts and deeds allennarly to wit that the said Provost Baillies and Council of the said Burgh of Dumbartoun have not made nor that they nor their Succeſsors in office shall not make any other right nor diſpoſition of the premiſses above diſponed and aſsigned to any other person or persons in prejudice hereof And for the said Provost Baillies Toun Council and Community of the said Burgh of Glasgow their farder and better Security anent the premiſses the said Provost Baillies and Toun Council of the Burgh of Dumbartoun for themselves and takeing burden as said is have Made Constitute and Ordained and by thir presents Make Constitute and Ordain their very lawfull undoubted and irrevocable procurators actors factors and special earand bearers to the effect underwritten Giveing and Committing to them or either of them their very full free plain power expreſs bidding mandament and charge for them and in their names and behalf to compear before the Lords Commiſsioners of his Majesties Thesaury and Exchequer And there at whatsoever time and place lawfull and convenient with all condigne reverence and due humility as it becomes purely and simply by staf and bastoun as use is to Resigne Renunce Surrender simpliciter Upgive Overgive & Deliver all and haill the said Duties of weighage tunnage anchorage measureage dockmaill cocquets and other dues whatsoever due and payable by all Strangers Ships anchoring or unloading in the said river of Clide And of the said Touns offers formerly in uſe to be made to the said Toun of Dumbartoun in the hands of our Soveraigne Lord the Kings Majestie immediat lawfull Superior of the said Toun of Dumbartoun and in the hands of his Majesties Commiſsioners of Exchequer haveing power to receive Resignations and to grant new Infeftments thereupon And that in favors and for new Infeftments of the said dues of weighage tunnage anchorage measurage dockmaill cocketts and other dues whatſomever due and payable by all strangers ſhips anchoring or unloading in the said river of Clide and that shall happen to unload within the said river in all time hereafter As also of the Touns offers that was formerly made to the Toun of Dumbartoun in manner particularly abovementioned to be made given and granted to the said Provoſt Baillies Dean of Gild and Thesaurer of the said Burgh of Glasgow for themselves and in name and behalf of the remanent Toun Council Deacons of Crafts and Community of the said Burgh in such due and competent form as effeirs Acts Instruments and Documents ane or mae as need beis in the premiſses to ask lift and raise and generally all and sundry other things neceſsar and requisite thereanent to do use and exerce which to the office of procuratory in such cases of the Law and Consuetude of this Realm is known to pertain or which the said Provost Baillies Dean of Gild Thesaurer and Toun Council of the said Burgh of Dumbartoun for themselves & in name and behalf abovementioned might do therein themselves if they were personally present Promiseing to hold firm and stable all and whatsomever things their said prors or any of them in the premiſses lawfully does or leads & causes to be done Provideing allwayes that thir

presents with the Instrument of resignation and infeftment to follow hereupon shall no wayes prejudge the freedom liberties and immunities of all ships barks boats &c. belonging or fraughted by the Burgeſses Inhabitants and freemen of the Burgh of Dumbartoun and their Succeſsors present and to come of and within the River of Clide but that they shall enjoy the samen as freely and fully as ever they did formerly notwithstanding of what they are hereby denuded of in favors of the Burgh of Glasgow in manner abovewritten And farder it is hereby expreſsly agreed betwixt the representatives of the said two Burghs of Glasgow and Dumbartoun that in all time hereafter the veſsells of whatsomever size and burden belonging to the Burgh of Glasgow Port-Glasgow and the haill Burgeſses and Inhabitants thereof that ſhall happen to come to the harbour of Dumbartoun or any other port or harbour belonging to the said Burgh shall have exemption from and shall not be lyable unto the payment of any duty whatsomever to the said Burgh of Dumbartoun And in likemanner that the haill veſsels and boats belonging to the Burgeſses Inhabitants of the said Burgh of Dumbartoun are exeemed from and no wayes lyable in payment of any duty whatsomever at the said Burgh of Glasgow Broomilaw Port-Glasgow or any other port or harbour belonging to them So that both Burghs are hereby declared free at each others ports in all time hereafter Provideing allwayes likeas it is hereby expreſsly provided and declared that neither of the said two Burghs nor their Burgeſses and Inhabitants shall be allowed to colour the Veſsells belonging to Unfreemen under the colour of their own in any time comeing And in respect that the said Provost Baillies Dean of Gild and Thesaurer of the said Burgh of Glasgow have for and in consideration of the premiſses instantly payed to the said Provost Baillies Dean of Gild & Thesaurer of the Burgh of Dumbartoun to be imployed for the use afterspecified All and haill the sum of four thousand and five hundred Merks good and usual Scots money whereof they hold them well content ſatisfied and payed and discharges the samen for ever Therefor the said Magistrats of the Burgh of Dumbartoun do hereby bind and oblidge them and Declare that the forsaid Sum shall be applyed by the said Burgh of Dumbartoun for payment of their Burghs debts pro tanto To the effect it may thereby appear that the forsaid transaction is reasonable and onerous and that the Succeſsors in office of both the said Burghs may have no ground to apprehend that this present Contract is proceeded upon frae any Collusion of the present Magistrats and Councils but upon fair and just grounds tending to the benefite and advantadge of both the said Burghs And lastly both the said Magistrats and Councils of the said Burghs of Glasgow and Dumbartoun respective Bind and Oblidge them and their Succeſsors in office either of them to others to observe keep and fulfill this present Contract in the haill heads articles and clauses abovewritten thereof hinc inde and the party failzier to pay to the party observer or willing to observe the Sum of two thousand Merks good and usual Scots money forsaid of liquidat penalty and expenſes in caſe of failzie by and attour performance It is allwayes hereby Declared and agried unto by both parties that neither the Disposition of the duties particularly abovewritten made to the said Toun of Glasgow nor yet the priviledge above disponed to the said Toun of Dumbartoun of immunity and freedome at the ports belonging to Glasgow shall take any effect in favors of either of the said Two Burghs nor they to be poſseſsed therein untill this present Contract be first Ratified either in this present Seſsion or any other ensueing Seſsion of Parliament And which Ratification is to be expede upon the said Toun of Glasgows proper charges and expences And for the mair Security both the said parties are content and consent that thir presents be insert and registrat in the books of Council and Seſsion or any other Regiſter competent therein to remain ad futuram rei memoriam And to that effect Constitutes their pro^rs promitten de rato &c. In witneſs whereof Written by Charles Mackfarlane servitor to Sir James Smollet of Bonill both the said parties have Subscribed thir presents with their hands dayes moneth year of God and places respective abovewritten befor thir witneſses respective viz. To the subscriptions of the said John Anderson Provost of Glasgow and the said Tobias Smollet Provost of Dumbartoun the said twelvth day of June the said Sir James Smollet Alexander Finlason writer in Edinburgh and the said Charles Mackfarlane writer hereof who are also witneſses to the marginal notes abovewritten and to the subscriptions of the said Baillies Dean of Gild Thesaurer and Toun Council of Glasgow the said twenty ninth day of June and year forsaid James Mackbride Toun Clerk of Glasgow and Richard Manwall and William Hamilton writers there and to the Subscriptions of the said Baillies Dean of Gild Thesaurer and Toun Council of the said Burgh of Dumbartoun the said Twenty Eight of June and year forsaid before thir witneſses George Maxwell merchant burgeſs of the said Burgh John Maxwell brother german to the Laird of Kilmahew burgeſs of the said Burgh and Andrew Graham inserter of the date and witneſses The date and witneſses names to the Subscriptions of the Magistrats and Toun Council of Glasgow being filled up by the said William Hamilton Sic subscribitur Jo: Anderſone Tob: Smollett Ro^t Duncanſone Bailzie Ro: Muſchett Baillie Da. Craig Dean of Gild David Strachan Theſaurer W. Craig Counseller Wm Campbell Counſeller J. Colquhoune Counſeller

James Porterfield Counſellour Jo. Nasmith Counsellour David M^clew Counseller John Martein Counſillor James Linsay Counseller Rob: Rodger Matthew Cuming junior George Nisbitt John Aird John Woddrope James Peadie Will: Napier John Corſe James Sloſse Gawin Wood G: Buchannan Simon Tennent Robert Zuill Robert Scot Ge: Robisoune John Robisoun Thomas Pollock William Barcklay Thomas Hamilton Ja. Smollett witnes to the two Provests subscriptions Alex^r Finlayson witnes therto Cha: M^cfarlan witnes thereto Ja: McBryd witnes Rich: Manwell witnes Will: Hamilton witnes George Maxwell witnes John Maxwell witnes And: Graham witnes TOGITHER with the Ratification thereof past in the Generall Convention of Borrows holden at Edinburgh the ninth day of July one thousand seven hundred years In all and sundry heads points articles clauſes tenor substance effect conditions provisions and circumstances thereof And His Majestie with advice and consent of the Estates of this present Parliament hereby conſents to the said contract and agreement And Statutes and Ordains that the said Contract and Infeftments if the samen ſhall be found neceſsary to follow thereupon shall stand and subsist and be good valid and sufficient rights to the said two Burghs of Glasgow and Dumbartoun conform to the tenor of the said Contract any Acts Statutes or Constitutions made or to be made in the contrare notwithstanding sicklike as if the same had been done by decreet and deliverance of Parliament Whereanent and whatever elſe may be objected againſt the premiſses His Majestie with advice and consent forsaid for himself and his Succeſsors doth hereby expreſsly Dispense for now and ever And also Declares that the same shall never be Quarrelled by his Majestie nor his Succeſsors in time comeing.

WARRANDS for fairs and weekly mercats in favors of several persons Read and Granted, as they here follow.

ACT in favours of Ann Dutches of Hamilton for altering three yearly fairs at the burgh of Hamilton

28 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in fit places of the Kingdom if holden on convenient dayes tend very much to the interest and advantadge of the Inhabitants of the places where the same are keeped and of his Majesties other Leidges dwelling near thereto and likewayes to advance and increase trade and commerce in the Nation, And that for these ends it is neceſsar to alter and change in manner following three yearly fairs underwritten holden at the Burgh of Hamilton pertaining to Ann Dutches of Hamilton and lying within the Shire of Lanerk Therefore and at desire of the said Dutches His Majestie and Estates of Parliament do by thir presents Change and Alter the said three fairs holden at the said Burgh of Hamilton One from the twenty eight day of June to the last Thursday thereof Another from the seventh day of August to the second Thursday of the same And the third from the eleventh day of November to the second Thursday of the said moneth yearly And have Authorized and hereby Authorize Her Grace her heirs and Succeſsors and the Baillies of the said Burgh of Hamilton and their Succeſsors in office to keep in all time comeing the forsaid fairs upon the said several dayes to which the same are hereby Altered and Changed and to cauſe proclaime ride and make such orders concerning the same as they think fit And likewayes by thir presents Give & Grant to the said Dutches and her forsaids full power to exact uplift dispose upon and according to her former rights to enjoy the haill tolls customes profites and casualities of the said three yearly fairs and competent to pertain thereto and all other advantadges used and wont and to do every other thing concerning the same which any haveing the priviledge of fairs within this Kingdom lawfully do or may do.

ACT in favors of Ann Dutches of Buccleugh & James Earl of Dalkeith her Son for two yearly fairs at the Toun of Langholm

OUR SOVERAIGN LORD and Estates of 29
Parliament Considering that fairs and mercats in convenient places tend to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increaſe trade and commerce in the nation And that it is very fit for these ends to Authorize two yearly fairs upon the dayes following at the Toun of Langholme belonging to Ann Dutches of Buccleugh and James Earl of Dalkeith her son & lying within the parochine of Staple Gordon of old within the shire of Dumfreis and now by annexation within the ſhire of Roxburgh Do therefore by these presents Appoint two fairs to be keept and holden yearly at the said Toun of Langholme One upon the last Twesday of May and the other upon the first Tuesday of September in all time comeing for every kind of merchandize And have Given and Granted and hereby Give and Grant to the said Ann Dutcheſs of Buccleugh and James Earl of Dalkeith and their heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly the haill tolls customes profites and casualities thereof and competent to

pertain thereto and all other advantadges used and wont With full power to them to exact uplift dispoſe upon and enjoy the samen and to cauſe proclaim and ride the said fairs and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within the Kingdom lawfully do or may do.

ACT in favors of Archibald Earl of Argyle for two yearly fairs at the kirktoun of Dollar

30 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is very fit for these ends to authorize two yearly fairs upon the dayes following at the Kirktoun of Dollar belonging to Archbald Earl of Argyle and lying within the Lordship of Campbell and Sherifdom of do therefore by these presents Appoint two fairs to be keept and holden yearly at the said Kirktoun of Dollar One upon the eight day of June and the other upon the eight day of October in all time comeing for any kind of merchandize And have Given and Granted and hereby Give & Grant to the said Archbald Earl of Argyle and his heirs and succeſsors for ever the right and priviledge of keeping the said fairs yearly the haill tolls customes profites and casualities thereof and all other advantadges used & wont With full power to him and them to exact uplift dispose upon and enjoy the samen and to cauſe proclaim and ride the said fairs and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of James Earl of Linlithgow and Callendar for two yearly fairs at the Burgh of Falkirk

31 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increaſe trade and commerce in the Nation And that it is fit for these ends to Authorize two yearly fairs upon the dayes following at the Burgh of Falkirk belonging to James Earl of Linlithgow and Callender and lying within the Sherifdom of Stirling Do therefor by thir presents Appoint two fairs to be keept and holden yearly at the said Burgh of Falkirk One upon the twentieth day of January and the other upon the tenth day of September in all time comeing for every kind of merchandize and have Given and Granted and hereby Give and Grant to the said Earl and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the same and to cauſe proclaime and ride the ſaid fairs and make such orders thereanent and do all other things concerning the same as they ſhall think fit and which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of James Earl of Southesk for two yearly fairs & a weekly mercat at the kirktoun of Kennell

32 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize two yearly fairs and a weekly mercat upon the dayes following at the Kirktoun of Kennell pertaining to James Earl of Southesk and lying within the Shire of Forfar Do therefor by thir presents Appoint two fairs to be keept and holden yearly at the said Kirktoun of Kennell One upon the third Wednesday after Whitsunday and the other upon the second Wednesday after Lambmaſs and each of the said fairs to continue four dayes and a weekly mercat to be holden at the said place every Wednesday for all kind of merchandize and have Given and Granted and hereby Give and Grant to the said Earl his heirs and succeſsors for ever the right and priviledge of keeping and holding the said yearly fairs and weekly mercat the haill tolls customes profites and casualities of the same and all other advantadges used and wont With full power to exact uplift and dispose upon and enjoy the samen and to cause proclaime and ride the said fairs and make such orders concerning the same and the said weekly mercat as they ſhall think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of James Viscount of Seafield for two yearly fairs at the Muir of Keith

33 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize two yearly fairs upon the dayes following at the muir of Keith belonging to James Viscount of Seafield lying within the Shire of Bamf do therefor by thir presents Appoint two fairs to be keept and holden yearly at the said muir of Keith One upon the third Tuesday of May to be called James's fair and the other upon the last Tuesday of November to be called Andersmafs fair in all time comeing for every kind of merchandice And have Given and Granted and hereby Give and Grant to the said Viscount and his heirs and Succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly the haill tolls eustomes profites and casualities thereof and all other advantadges used and wont with full power to exact uplift dispose upon and enjoy the ſame and to cauſe proclaime and ride the said fairs and make such orders thereanent and do all other things concerning the samen as they shall think fit and which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of Sir Coline Campbell of Aberruchill for a yearly fair at the Burgh of Barony of Inveruchill

34 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize the following yearly fair at the Burgh of Barony of Inuerruchill belonging to Sir Coline Campbell of Aberruchill within the Sherifdom of Perth do therefor by thir presents Appoint a fair to be keept and holden yearly at the said Burgh of Barony of Inuerruchill upon the first Tuesday of May yearly in all time comeing for every kind of merchandize and have Given and Granted and hereby Give and Grant to the ſaid Sir Coline Campbell and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fair yearly the haill tolls customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the same and to cause proclaime and ride the said fair and make such orders and do all other things thereanent as they ſhall think fit and which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of Sir Archbald Stuart of Blackhall for a yearly fair at the old kirk of Inuerkip

35 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize a yearly fair in manner underwritten at the Old Kirk of Inuerkip pertaining to Sir Archbald Stuart of Blackhall in the Shire of Renfrew Do therefor by thir presents Appoint a fair to be keept and holden yearly at the said Kirk of Inuerkip upon the first Tuesday of January in all time comeing for every kind of merchandice and have Given and Granted and hereby Give and Grant to the said Sir Archbald and his heirs and succeſsors for ever the right and priviledge of keeping & holding the said yearly fair the haill tolls eustomes profites and casualities of the same and all other advantadges used and wont with full power to exact uplift dispose upon and enjoy the ſame and to cauſe proclaim and ride the said fair and do all other things thereanent as they think fit and which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of Sir Patrick Murray of Oehtertyre for a yearly fair at the Muir of Laggan

36 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend greatly to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to the advancement and increase of trade and commerce in the Nation And that it is very fit for these ends to Authorize a yearly fair upon the day following at the muir of Laggan belonging to Sir Patrick Murray of Ochtertyre and lying near the bridge of Turrat in the parochine of Monievaird and Sherifdom of Perth do therefor by thir presents Appoint a fair to be keept and holden yearly at the said muir of Laggan upon the third Tuesday of May in all time comeing to be called the fair of Turrat for every

kind of merchandice and have Given & Granted and hereby Give and Grant to the said Sir Patrick Murray and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fair yearly the haill tolls customes profites & casualities thereof and competent to pertain thereto and all other advantadges used and wont with full power to him and them to exact uplift dispose upon and enjoy the samen and to cause proclaim and ride the said fair and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of Sir James Abercrombie of Birkinboig for two yearly fairs upon the lands of Breoch

37 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto And likewayes to increase trade and commeree in the Nation And that it is very fit for these ends to authorize the two yearly fairs following upon the Lands of Breoch belonging to Sir James Abercrombie of Birkinboig and lying within the parochine of Fordice and Sherifdom of Bamf Do therefore by thir presents Appoint two fairs to be keept and holden yearly upon the said Lands of Breoch one upon the first Tuesday of June and the other upon the twenty second day of August in all time comeing for every kind of merchandice And have Given and Granted and hereby Give and Grant to the said Sir James Abercrombie and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the ſame and to cauſe proclaim and ride the said fairs and make such orders thereanent as they think fit and to do all other things concerning the ſame which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of Alexander Stuart of Torrens for a yearly fair & weekly mercat at the Kirktoun of Kilbride

38 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto And that for these ends it is very fit to authorize the Mercat and yearly fair following at the Kirktoun of Kilbride pertaining to Alexander Stuart of Torrens and lying within the ſhire of Lanerk do therefor by thir presents Appoint a mercat to be keept and holden at the said Kirktoun of Kilbride upon each Thursday in the moneth of May yearly and a publict fair to be keept at the said place upon in all time comeing for every kind of merchandice And have Given and Granted and hereby Give and Grant to the said Alexander Stuart his heirs and succeſsors for ever the right and priviledge of keeping and holding the said mercat and fair at the times and place abovementioned the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the ſame and to cauſe proclaim and ride the said fair and do all other things concerning the same and the said mercat as they think fit which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

There was a Protestation taken against this Act for Mr Alexander Montgomery of Kirktounholme upon the first of February 1701 where it is Recorded

Protestation for Mr Alexander Montgomery against the last written Act.

ACT in favors of James Moir of Stoniewood for two yearly fairs at the Greenburn on the Lands of Stoniewood

39 OUR SOVERAIGN LORD and Estates of Parliam[t] Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize the publict fairs following at the Green-burn on the Lands of Stonywood pertaining to James Moir of Stoniewood and lying in the Shire of Aberdeen do therefor by thir presents Appoint the publict fairs underwritten to be keept and holden yearly in all time comeing at the said Green-burn One upon the second Thursday of June to be called Hagg fair and another upon the laſt Thursday of July to be called Bathie fair for all kind of merchandice And have Given and Granted and hereby Give and Grant to the said James Moir and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said two yearly fairs and the haill customes profites & casualities of the same and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the same and to cause proclaim and ride the said fairs and do all other things thereanent as they think fit which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of George Winrahame of Eymouth for two yearly fairs and a weekly mercat at the toun of Eymouth

40 OUR SOVERAIGN LORD and the Estates of Parliament considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade & commerce in the Nation And that it is very fit for these ends to authorize two yearly fairs and a weekly mercat upon the dayes following at the Toun of Eymouth belonging to George Winraham of Eymouth within the ſhire of Berwick do therefore by thir presents Appoint two fairs to be keept and holden yearly at the said Toun of Eymouth one thereof to begin upon the first Thursday of June and the other upon the first Thursday of November each of them to continue two dayes And also a weekly mercat to be keept at the said Toun upon each Friday in all time comeing for every kind of merchandize And have Given and Granted and hereby Give and Grant to the said George Winrahame and his heirs and Succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly and the forsaid weekly mercat and the haill tolls customes profites and casualities thereof and competent to pertain thereto and all other advantadges used and wont With full power to him and them to exact uplift dispose upon and enjoy the ſame and to cause proclaim and ride the ſaid fairs and make ſuch orders concerning the ſame and the forsaid weekly mercat as they think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of Alexander Gibsone of Durie for changing three yearly fairs & a weekly mercat at the toun of Leven.

41 OUR SOVERAIGNE LORD and Estates of Parliament considering that fairs and mercats in fit places of the Kingdom if holden on convenient dayes tend very much to the intereſt and advantadge of the Inhabitants of the places where the ſame are keept and of his Majesties other Leidges dwelling near thereto and likewayes to advance Trade and Commerce in the Nation And that for these ends it is neceſsar to alter and change in manner following Three yearly fairs and the weekly mercat underwritten keept at the Toun of Leven pertaining to Alexander Gibsone of Durie within the Shire of Fife Therefore and at desire of the said Alexander Gibsone His Majestie and Estates of Parliament do by thir presents Alter and Change the said three yearly fairs holden at the Toun of Leven one from the thirteenth day of December to the twenty second of January another from the fifteenth of March to the twenty third of April and the third from the fourteenth of May to the seventeenth day of June yearly and have Authorized and hereby Authorize the said Alexander Gibson his heirs and Succeſsors to keep the said fairs at the forsaid place and times in all time comeing And have also Appointed and hereby Appoint the weekly mercat holden at the said Toun upon Thursday to be Changed and in all time hereafter keept on each Wednesday And likewayes for the good and advantadge of the Inhabitants of the said Toun and for the other ends abovementioned His Majestie and the said Estates of Parliament does hereby Appoint another fair to be keept and holden thereat upon the nineteenth day of July yearly in all time hereafter And have Given and Granted and by thir presents Give and Grant to the said Alexander and his forsaids for ever the right and priviledge of keeping and holding the said fair now appointed and the other three yearly fairs and weekly mercat abovementioned and the haill tolls customes profites and casualities thereof and competent to pertain thereto and all other advantadges used and wont With full power to him & them to exact uplift dispose upon and enjoy the same and to cause proclaim & ride the ſaid fairs and make ſuch orders concerning the same and the said weekly mercat as they think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of Mr Alexander Abercrombie of Tullibody Advocat for two yearly fairs & a weekly mercat at the toun of Tullibody

42 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase Trade and Commerce in the Nation And that it is very fit for these ends to authorize two yearly fairs and a weekly mercat upon the dayes following at the Toun of Tullibody belonging to Mr Alexander Abercrombie of Tullibody Advocat and lying within the Shire of Clackmannan do therefor by thir presents Appoint two fairs to be keept and holden yearly at the said Toun of Tullibody one upon the first Wednesday of June and the other upon the twenty fourth day of September with a weekly mercat to be keept at the said place upon each Tuesday in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the

said Mr Alexander Abercrombie and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said yearly fairs and weekly mercat the haill customes profites and casualities thereof and all other advantadges used and wont With full power to Exact Uplift Dispose upon and Enjoy the same and to cauſe proclaim and ride the said fairs and make ſuch orders concerning the ſame and the said weekly mercat as they ſhall think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of John Cunninghame of Ballandalloch for two yearly fairs and a weekly mercat at the Clachan of Balfron

43 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase Trade and Commerce in the Nation And that it is very fit for these ends to authorize a weekly mercat and two publict fairs upon the dayes following at the Clachan of Balfron belonging to John Cunningham of Ballandalloch and lying within the Shire of Stirling do therefore by thir presents Appoint a Mercat to be keept and holden weekly upon every Tuesday at the said Clachan of Balfron and two publict fairs to be keept yearly at the said place one upon the third Tuesday of May and the other upon the second Tuesday of October in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the said John Cunningham and his heirs and succeſsors for ever the right and priviledge of keeping the said weekly mercat and yearly fairs with all the Customes Profites and Casualities thereof and all other advantadges and priviledges used and wont Togither with full power to exact uplift dispose upon and enjoy the same & to cause proclaim & ride the said fairs & do all other things concerning the same & the said weekly mercat as they think fit which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of John Farquharson of Invercauld for two yearly fairs at the Milltoun of Invercauld

44 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places do greatly tend to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to the advancement & increase of Trade and Commerce in the Nation And that it is very fit for these ends to authorize two fairs yearly upon the dayes following at the Milltoun of Inuercauld a place convenient to that effect belonging to John Farquharson of Inuercauld within the parish of Kindrochit and ſhire of Aberdeen do therefore by thir presents Appoint two fairs to be keept and holden yearly at the said Milltoun of Inuercauld one thereof to begin upon the second Tuesday of August and the other upon the twenty second day of September and each of them to continue three dayes in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the said John Farquharson and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly, the haill Tolls Customes Profites and Casualities thereof and competent to pertain thereto and all other advantadges used and wont With full power to him and them to Exact Uplift Dispose upon and Enjoy the same and to cause proclaim and ride the said fairs and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of James Ramsay for a yearly fair at the Newtoun of Blairgourie

45 OUR SOVERAIGN LORD and Estates of Parliament considering that fairs and mercats in convenient places tend much to the good and advantage of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto And likewayes to increase trade and commerce in the Nation and that it is fit for these ends to authorize the publict fair following at the Newtoun of Blairgourie in the Stormond lying within the Sherifdom of Perth and belonging to James Ramsay brother german to Mr David Ramsay of Lethintie do therefor by thir presents Appoint a public fair to be keept and holden yearly in all time comeing at the said Newtoun of Blairgourie upon the Tuesday immediatly preceeding Michaelmaſs day for all kind of merchandise And have Given and Granted and hereby Give and Grant to the said James Ramsay and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fair with all the customes profites and casualities thereof and all other advantadges and priviledges used and wont Together with full power to exact uplift dispose upon and enjoy the same and to cauſe proclaim and ride the said fair and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of the Burgh of Air for a yearly fair

46 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to authorize the following publict fair at the Burgh of Air do therefor by thir presents Appoint a publict fair for every kind of merchandise to be keept and holden yearly in all time comeing at the said Burgh of Air upon the first Tuesday of January and the four following dayes And have Given and Granted and hereby Give and Grant to the Magistrats Toun Council and Community of the said Burgh for the behoove of the samen the right and priviledge of keeping and holding the said fair with all customes profites and casualities thereof and all other advantadges and priviledges used and wont Togither with full power to exact uplift dispose upon & enjoy the same and to cause proclaim and ride the said fair and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of the Burgh of Dumfermling for a yearly fair

47 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend very much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is fit for these ends to Authorize the following publict fair at the Burgh of Dumfermling do therefor by thir presents Appoint a publict fair for all kind of merchandize to be keept and holden at the said Burgh of Dumfermling yearly in all time comeing upon the second Wednesday of January And have Given and Granted and hereby Give and Grant to the Magistrats and Toun Council of the said Burgh for the use and behove of the samen and Community thereof the right and priviledge of keeping and holding the said fair, the haill customes profites and all casualities thereof and all other advantadges & priviledges used and wont With full power to exact uplift dispose upon and enjoy the same and to cause proclaim and ride the said fair and make such orders thereanent as they think fit and to do all other things concerning the same which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

THE Committies appointed to meet to morrow at nine a Clock in the morning.

THE Lord Chancellour by order of his Majesties high Commissioner Adjourned the Parliament till to morrow at Ten of the Clock.

FEBRUARY 1, M,DCC,I.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

THE Lord Montgomery in name of Mr Alexander Montgomery of Kirktounholme Protested against the weekly mercat past yesterday in favors of Alexander Stuart of Torrence that the same might not be prejudicial to the common fairs and mercats within the Toun of Kilbride or Common muir therof.

Protestation for Montgomery of Kirktounholm agt the weekly mercat granted to Alexander Stuart

MR Robert Forbes in name of the Laird of Laithers Protested against the Ratification past in favors of the Earl of Erroll.

Protestation for the Laird of Laithers against the Ratification past in favors of the Earl of Erroll

THE following Warrands for fairs and mercats in favors of privat parties read and granted.

ACT in favors of John Earl of Loudoun for two yearly fairs at the toun of Mauchline

48 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend much to the good [and advantadge of the] Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to the advancement and increase of trade and commerce in the Nation And that it is very fit for these ends to authorize the two following yearly fairs at the Toun of Mauchline belonging to John Earl of Loudoun and lying within the Shire of Air do therefor by thir presents Appoint two yearly fairs to be keept and holden in all time comeing for every kind of merchandise at the said Toun of Mauchline one thereof to begin upon the first Tuesday of May and the other upon the last Wednesday of January and each of them to continue two dayes And have Given and Granted and hereby Give and Grant to the said Earl & his

heirs and succeſsors for ever the right and priviledge of keeping and holding the said two fairs yearly with all the customes profites and casualities of the ſame and all other advantadges used and wont Together with full power to exact uplift dispose upon and enjoy the same and to cause proclaime and ride the said fairs and make ſuch orders thereanent as they think fit and to do all other things concerning the ſame which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of John Viscount of Stair for granting and changing certain yearly fairs at the Burgh of Barony of Dalmellingtoun

49 OUR SOVERAIGN LORD and Estates of Parliam[t] Considering that fairs and mercats in convenient places and on fit dayes tend much to the good and advantadge of the Inhabitants of the said places and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is very fit for these ends to Authorize two yearly fairs upon the dayes following at the Burgh of Barony of Dalmellingtoun belonging to John Viscount of Stair and lying within the Shire of Air and to Change and Alter other two fairs and the weekly mercat formerly keept and holden at the said Burgh in manner following Do therefor Appoint two fairs to be keept and holden yearly in all time comeing for every kind of merchandise at the said Burgh of Barony of Dalmellingtoun one thereof to begin upon the second Tuesday of May and the other upon the first Tuesday of July and do by thir presents Change and Alter the Lambmaſs fair and Hallow fair formerly keept at the said Burgh from the dayes on which the ſame were formerly holden and ordains them in time comeing to be holden by the ſaid Viscount and his forsaids on the dayes following viz. the one thereof to begin upon the third Tuesday of August and the other upon the last Tuesday of October And each of the said four fairs to continue two days yearly in all time to come And also do hereby Appoint the weekly mercat formerly holden at the said Burgh upon Munday to be in all time hereafter keept on each Tuesday Likeas His Majestie and the said Estates do by thir presents Give and Grant to the said Viscount and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said yearly fairs and weekly mercat upon the dayes forsaid for buying and selling of horse nolt sheep wool and all other merchandise with the haill customes profites and casualities of the same and all other advantadges used and wont Together with full power to exact uplift dispose upon & enjoy the same and to cause proclaim and ride the said fairs and make such orders concerning the same and the said weekly mercat as they shall think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of William Morison of Prestoungrange for yearly fairs & weekly mercats at Morisons haven & on the lands of Muirfort

OUR SOVERAIGN LORD and Eſtates of 50
Parliament Considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the Nation And that it is very fit for these ends to Authorize the yearly fairs and weekly mercats following at Morisons haven belonging to William Morison of Prestoungrange and lying within the Sherifdom of Haddingtoun and upon the said William his Lands of Muirfort within the Shire of respective in manner underwritten Do therefore by these presents Appoint a publict fair to be keept and holden yearly at Morifons haven upon the last Tuesday of September and a weekly mercat at the said place upon each Friday and another fair to be keept and holden upon the saids Lands of Muirfort on the third Tuesday of September yearly with a weekly mercat there upon every Wednesday in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the said William Morison and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said yearly fairs and weekly mercats, the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the same and to cause proclaim and ride the said fairs and make such orders concerning the same and the said weekly mercats as they think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

ACT in favors of Thomas Forbes of Watertoun for two yearly fairs at the Kirktoun of Ellon

OUR SOVERAIGN LORD and Estates of 51
Parliament Considering that fairs and mercats in convenient places tend much to the good and advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and likewayes to increase trade and commerce in the

Nation And that it is very fit for these ends to authorize two yearly fairs upon the dayes following at the Kirktoun of Ellon belonging to Thomas Forbes of Watertoun and lying within the Sherifdom of Aberdeen Do therefore by thir presents Appoint two fairs to be keept and holden yearly at the said Kirktoun of Ellon one upon the third Tuesday of February to be called Valentine fair and the other upon the first Tuesday of October to be called James fair in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the said Thomas Forbes and his heirs and succeſsors for ever the right and priviledge of keeping and holding the said fairs yearly the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the same and to cauſe proclaim and ride the said fairs and make such orders concerning the samen as they think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs within this Kingdom lawfully do or may do.

ACT in favors of John Forbes of Bonnakettle for two yearly fairs at the toun of Bonnakettle

52 OUR SOVERAIGN LORD and Estates of Parliament Considering that fairs and mercats in convenient places tend much to the good & advantadge of the Inhabitants thereof and of his Majesties other Leidges dwelling near thereto and also to increase trade and commerce in the Nation And that it is very fit for these ends to authorize two yearly fairs upon the dayes following at the Toun of Bonnakettle belonging to John Forbes of Bonnakettle and lying within the Sherifdom of Aberdeen Do therefore by thir presents Appoint two fairs to be keept and holden yearly at the said Toun of Bonnakettle one upon the third Tuesday of June to be called Thomas fair and the other upon the third Tuesday of September to be called Latter Mary fair in all time comeing for every kind of merchandise And have Given and Granted and hereby Give and Grant to the said John Forbes and his heirs and successors for ever the right and priviledge of keeping and holding the said fairs yearly the haill customes profites and casualities thereof and all other advantadges used and wont With full power to exact uplift dispose upon and enjoy the samen and to cause proclaim and ride the said fairs and make such orders concerning the same as they shall think fit and to do all other things thereanent which any haveing the priviledge of keeping fairs and mercats within this Kingdom lawfully do or may do.

* Act in favors of the Burgh of Bamf for a Contribution for repairing their harbour

ANENT the Petition given in and presented to His Grace His Majesties high Commissioner and the right honourable the Estates of Parliament by the Magistrats and Toun Council of Bamf Shewing That where upon the fifth day of October I^m vj^c and ninety six years the Petitioners obtained an Act of Parliament makeing mention of a Petition then given in by them Bearing that where they have an harbour in the mouth of the water of Doveron very commodious for trade and the paſsage of all veſsells betwixt the north and south which albeit built on the one side yet on the other side is quite bare which whenever any speat comes occasions the bringing down of so much chingle and ſand that it is like to render the said harbour uſeleſs And seeing the only and certain remedie for preserveing the said harbour is that the same ſhould be built on the other ſide whereby the water may be brought to a straiter current for carrieing off the said chingle and sand and preventing the like in time comeing which the Petitioners could not do without some aſsistance as is usual in the like cases Therefor humbly Craveing that His Grace his Majesties high Commiſsioner and their Lordships would be pleased to ordain and allow the Petitioners to have a publict Contribution through all the Kirks and parishes in this Kingdom upon the second Sabbath of March in the year I^m vj^c and ninety seven and to authorize a Proclamation to be printed and intimat the Sabbath preceeding for that effect as the said Petition in it selfe fully bears And therefore Granting to the Petitioners the desire of the said Petition they being allwayes lyable to compt at the ſight of the Sherif principal of Bamf and his deputes Which Act of Parliament never haveing been made use of by the Petitioners by reason of the then scarcity and other calamities of the Countrey so that hitherto they have had no benefite thereby nor can ever have any unleſs the same be renewed in their favors And therefore they by the said Petition humbly Craved that His Grace and their Lordships would ordain the said Act to be renewed in their favors Allowing to them to have a publict Contribution through all the Kirks and the parishes of the Kingdom upon the second Sabath of May in this present year I^m vij^c and one years and would ordain each Presbitry to cause the Ministers of the said parishes to make due intimation of the said Contribution the Sabbath preceeding the said second Sabbath of May And to Authorize a Proclamation to be printed and intimat for that effect as the said Petition bears Whilk Petition and desire thereof

* In the Books of Parliament, this Act is preceded by the following notice.—" The following Act in favors of the Burgh of Bamf is said in the Minuts to be granted on the last day of January immediatly past But the Warrand thereof is dated this first of February and therefore here recorded."

being this day read in presence of and Considered by His Majesties high Commiſsioner and the said Estates of Parliament They have Ordained and hereby Ordain the abovementioned Act to be renewed and have Allowed and hereby Allow a publict Contribution through all the Kirks and Pariſhes of the Kingdom upon the second Sabbath of May next And have Ordained and hereby Ordain the Ministers the Sabbath immediatly preceeding to make intimation hereof after the forenoons Sermon.

[Anent the Addreſs to his Majestie] MOVED that it be recommended to the Secretaries of State to present the Addreſs from the Estates of Parliament to His Majestie anent the buſineſs of the Indian Company and their Colony of Caledonia, And the ſame agried to.

[Earl of Mortoun] DECLARATION by the Earl of Mortoun presented Whereby for the cauſes therein mentioned he Sists further proceſs till the next Seſsion of Parliament in the Action at his instance against the Officers of State Read and Ordered to be marked in the Minuts of that proceſs.

[Erskine agt Counteſs of Kincardine] MOVED that the proceſs at the instance of Livetennent Collonel John Erskine againſt the Counteſs of Kincardine to inſiſt for diſcuſsing her proteſt for remede of Law taken againſt the decreet of Sale of the Estate of Kincardine be Remitted to be determined by the Lords of Seſsion summarly with a Parliamentary power.

Names of the Commiſsioners for the Pole 1693 MOVED that conform to the order of Parliament mentioned in the last dayes Minuts the Estates Separat and make Election of three of each State for the Commiſsion of Parliament anent the Pole I^{co} vj^{c} and ninety three Whereupon the Estates haveing Seperat to their usual places Returned and reported their several Elections as followes viz. Of the State of the Nobility the Earls of Lauderdale, Loudoun, and Leven: Of the State of Barons Sir Francis Scot of Thirlestain, Sir Alexander Monro of Bearcrofts, and Patrick Murray of Livingstoun: Of the Commiſsioners of Burghs Sir Archbald Muir, Mr James Hamilton, and Sir William Hamilton.

THEREAFTER the Act and Commiſsion to the persons abovenamed anent the said Pole I^{co} vj^{c} and ninety three again read Moved that it be remitted to the said Commiſsion to Consider the Arrears due to the disbanded Officers of the Army and to Examine how the funds granted by the Parliament for the use of the Army has been disposed on And also to consider the project of Land Credit offered by Doctor Chamberland and make report of the said particulars to the next Seſsion of Parliament; Also moved that the said Commiſsion be first Constitute and Voted before any new remits be offered to the ſame And the said Act and Commiſsion being again read it was put to the vote Approve or not and carried Approve

[Erskine agt Counteſs of Kincardine & Pourie agt Lord Gray] AGAIN moved that the Parliament Remit the said proceſs at the instance of the said Livetennent Collonell Erskine against the Counteſs of Kincardine to be diſcuſsed summarly by the Lords of Seſsion with a Parliamentary power, Also moved that the proceſs at the instance of the Laird of Pourie againſt the Lord Gray and others being the like case may also be remitted to be diſcuſsed as aforesaid Likewayes moved that the matter of the arrears and the accounts of the funds given for the use of the army be remitted to the said Commiſsion of Parliament in order to be considered and reported And a state of a vote given in thereanent and craved to be read And a debate ariseing which of the said Motions ſhould be preferred After much reasoning it was moved by order of his Majeſties High Commiſsioner that the Act Salvo Jure ſhould be read.

Protestation by the Duke of Hamilton WHEREUPON the Duke of Hamilton protested that he had been Interrupted in speaking and offering the forsaid State of the vote upon the proposals anent the Arrears and funds by the makeing and insisting in the said Motion anent Livetennent Collonell Erskines proceſs and the ſtoping the reading of his state of the vote anent the arrears And that the Calling of the Act Salvo Jure was contrare to the Act of Parliament allowing free reasoning and voteing in Parliament And thereupon took Instruments.

Protestations by the Marques of Tweedale E. Marischal & V. Strathallan THE Marques of Tweddale, Earl Marischall and Viscount of Strathallan did also protest that they were in the like manner interrupted contrare to their priviledge as Peers and members of Parliament And thereupon took Inſtruments.

Protestation by the Viscount of Seafield THE Viscount of Seafield Lord Secretary protested that seeing the Remit of Livetennent Collonell Erskines proceſs was first tabled and spoke to by several members and that he going on to Second the same and also to Speak to Pouries proceſs which is in the ſame case with Livetennent Collonell Erskines was interruped by the proposal of the arrears and likewayes by offering a vote upon the said proposal before it had been spoke to The ſame was contrare to his priviledge as a Peer and member of Parliament.

Protestation by the Duke of Hamilton

AFTER reading of the Act Salvo the Viscount of Seafield renewed his protest and took Instruments Whereupon the Duke of Hamilton did again take Instruments that the Viscount of Seafield had entered his protest after the reading of the Act Salvo which was against forme which the

Protestation by the V. Seafield

the Viscount denying to be ag^{t} form protested in the contrary.

Protestation by the Thesaurer Depute

HIS Majesties Thesaurer depute declared that he haveing made a proposal for Remitting the proceſs at the instance of Livetennent Collonel Erskine to the Seſsion And that before the Parliam^{t} did seperat to choise the members of their Commiſsion about the Pole I^{m} vj^{c} and ninety three which he understood to have been granted But finding by some members of Parliament that the ſame was not acquieſced in He after the report of the ſaid Election and voteing of the said Act and Commiſsion renewed his propoſal and craved the ſame might be put to a question Remit or not and after some reasoning thereupon and the vote being ready to be put was unduely interrupted by bringing in a proposal anent the Arrears and offering a state of a vote upon it The said Thesaurer depute protested that the offering of a new Buſineſs before the other was determined was an encroachment upon his priviledge and the order of Parliament Whereupon he took Instruments.

Protestation by the Earl of Buchan

THE Earl of Buchan adhered to the protest made by the said Thesaurer Depute and also took Instruments.

[Anent the Arrears &c.]

THEREAFTER the state of the vote offered by Duke Hamilton anent the Remit of the Arrears and the fonds given for their payment was read viz. That it be Remitted to the Commiſsion of Parliament presently Chosen to take tryal of all the funds laid on by the Parliament ſince the year I^{m} vj^{c} and ninety three inclusive and how the ſame have been applyed and to report the ſame with the state of the Arriers as well due to the disbanded officers as to the present standing forces to the next Session of this or any other Parliament: Also proposed that the Act for renewing the Commission of Justiciary for the Highlands being once read and the said matter most neceſsary and ſuch as can occasion no debate be first proceeded in & past; And a vote being ſtated and craved thereon It was debated which of the said motions ſhould be first taken into consideration And thereafter moved That for terminating the debate the Question ſhould be Which of the two states ſhall be allowed: And this being also opposed His Majesties high Commiſsioner did make the following Speech.

The Commiſsioners Speech

My Lords and Gentlemen

I was very desireous that the little time that remains might be spent about good Laws and ſome private buſineſs before you; but when I ſaw debates arise about the order and preference of some proposals and that you were not like to come to a conclusion I called for the Act Salvo Jure and yet I did not insist upon it but have had patience these four or five hours to see if you would dispatch buſineſs; But now it is late and since you have not ſo much as come to a vote what buſineſs to begin at, I must again call for that Act.

My Lords and Gentlemen

I confesss I promised in his Majesties name that you ſhould have time for other buſineſs before you. And I appeal to the house if the time that has been ſpent about stateing of questions and preference of buſineſs might not if well husbanded have ſerved for this end. I appeal to you also if I have not endeavoured to my utmost to make dispatch, for We have met every day for these several weeks and the Seſsions have been much longer than usual and there were ſeveral good Laws yesterday got a first reading which might have paſsed this day. I am ſure I intended ſincerely what I promised And I must put you in mind that you have now sat above three moneths, the first two moneths were intirely bestowed upon Laws before any thing was offered in relation to the Forces and Supply; And I am sure you and I both expected that all buſineſs then before you might have been ended in leſs than a moneth which has been allowed you since; I have given you all the time I can and if you have not managed it well enough it is not my fault; You must all be convinced that His Majesties affairs cannot allow us to sit longer: Several important and good Laws are already past and such as are wanting of what was designed may be overtaken at another time.

THEREAFTER the Act Salvo Jure Cujuslibet was again read, voted and approven.

THE Act and Commission anent the Pole I^{m} vj^{c} and ninety three, and the Act Salvo Jure Cujuslibet both touched by his Majesties high Commiſsioner with the Scepter in the usual manner. Of which Acts the Tenors follow.

ACT and Commiſsion anent the Pole 1693

53 OUR SOVERAIGN LORD with the advice and consent of the Estates of Parliament Does hereby Authorize and Impower the following persons to wit the Earls of Lauderdale, Loudoun, Leven, Sir Francis Scot of Thirlestaine Sir Alexander Monro of Bearcrofts the Laird of Livingstoun Sir Archbald Muir Mr James Hamilton, Sir William Hamilton being three of each ſtate of Parliament whereof five to be a quorum to proceed upon and determine with a parliamentary power all differences betwixt the old and new Tacksmen in relation to the Pole Imo vjc° and ninety three And finally to decide in all questions in relation to the Vintuples wherein the old Tacksmen may be found lyable for their concealments in the Collection and the Expences pretended by them for the said Collection And to apply the Sums they ſhall find resting towards the clearing the Arrears of these officers to whom the ſame ſhall appear due according to their respective claims; As likewayes to consider and determine upon Kirktoun Lockharts petition to the ſaid ſubject; As also to inquire into these other funds given by the Parliament for the ſame end and which were before the late Commiſsion of Parliament and to proceed herein with all convenient diligence that justice may be done to these Gentlemen that have deserved ſo well of their Countrey; And appoints their first meeting the first Tuesday of February instant with power to them to adjourn themselves from time to time as they ſhall think fit untill the ſaid matters be finally determined. And it is hereby Declared that the members of the said Commiſsion shall not be lyable for what they shall determine And that His Majestie may ſupply any vacancie that ſhall happen in the said Commiſsion.

ACT Salvo Jure Cujuslibet

OUR SOVERAIGN LORD takeing to consideration that there are several Acts of Ratifications and others past in this Session of Parliament in favors of particular persons without calling or hearing such as may be thereby concerned or prejudged Therefor His Majestie with advice and consent of the Estates of Parliament Statutes and Ordains that all such particular Acts and Acts of Ratifications past in manner forsaid shall not prejudge any third party of their lawful rights nor of their actions and defences competent thereupon before the makeing of the said particular Acts and Acts of Ratifications And that the Lords of Seſsion and all other Judges of this Kingdom shall be oblidged to judge betwixt parties according to their ſeveral rights ſtanding in their perſons before the makeing of the said Acts, All which are hereby Exponed and Declared to have been made Salvo Jure Cujuslibet, Excepting allwayes from this present Act all such Acts past in this Seſsion of Parliament as by an expreſs clause therein are declared to be herefrom excepted. 54

Act of Adjournment

THE Kings Majesty Declares this Parliament current, and Adjourns the ſame to the first Tuesday of May next being the ſixth day of the said moneth Ordaining all Members of Parliament Noblemen, Commissioners from Shires and Burghs and all others haveing interest to attend at Edinburgh that day at ten a clock And that there be no new elections in Shires or Burghs except upon the death of any of the present Commissioners

APPENDIX.

MINUTES OF THE PARLIAMENT OF KING WILLIAM HOLDEN AT EDINBURGH SEPTEMBER VIII, M.DC.XCVI.

Tuesday Eight of September 1696.

PRAYERS said.

HIS Majesties Commiſsion to John Earle of Tullibarden to be His Majesties high Commiſsioner to this Seſsion of Parliament read.

THE Rolls called.

THE Earle of Marr protested against the calling of all the Earles ranked befor him in the Rolls of Parliament.

THE Earle of Mortoun protested against all thoſe called befor him except the Earle of Argyle.

THE Earle of Louthian protested against the calling of the Earle of Roxburgh and others befor him.

THE Lord Secretary Ogilvie in name of the Earle of Finlator protested againſt the Earle of Airlies being called befor him.

THE Earle of Levin protested againſt the calling of the Earle of Callender befor him.

THE Lord Theſaurer Deput proteſted againſt the calling of Sir James Ogilvie as Lord Secretary in the rolls of Parliament befor him.

THE Lord Chancellour the Lord Privy Seall the Lord Secretary Ogilvie the Lord Register ther Commiſsiones read in Parliament.

A LETTER from the King to his Majesties High Commiſsioner read appoynting Sir James Ogilvie one of the two principall Secretaries of State to sit and vote in this Seſsion of Parliament as Lord Secretary.

THE Lord Chancellour, the Lord Privy Seall, the Earle of Mar the Earle of Lauderdale the Earle of Loudoun, the Lord Bellenden the Lord Secretary Ogilvie the Laird of Dalmenie Commiſsioner elected for the Shyre of Midlouthian Sir Robert Cheiſly Commiſsioner elected for the city of Edinburgh Patrick Thomson Commiſsioner elected for the burgh of Stirling and Alexander Edgar Commiſsioner elected for Haddingtoun took the oath of alleadgance and signed the same with the aſsurance and took the oath of Parliament and therafter took ther places.

THE Kings high Commiſsioner and then the Lord Chancellour made ther speeches to the Parliament.

ORDERED that his Grace the Commiſsioners speech and the Lord Chancellours speech be printed.

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[THE Speech of John Earl of Tullibardine, His Majeſties High Commiſſioner to the Parliament of Scotland, on Tueſday the Eight of September 1696.

My Lords and Gentlemen,

WE enjoy the unvaluable blessing of a King, who is not only of the ſame Religion with us, but who daily expoſes himſelf to the greateſt dangers for its defence and our safety; all good men had a juſt sense of this, on the happy diſcovery of the late horrid deſign of Aſſaſſination and Invaſion, and I wiſh, we may ſhow our gratitude to God as we ought for that delivery; and in the next place that you chearfully imbrace this opportunity of giving new marks of your duty to the King; who if he ſhould require any thing from you for his own particular uses, I am perſwaded this Parliament would readily agree to it, but His Majeſty deſires nothing from you, but that you take this occasion to do every thing, that's neceſſar for your own and the Kingdoms safety, in preſerving all that's dear to us from his and our enemies.

I know you are ſo fully convinced of the neceſſity there is of Supplies, for the Support of the Government and Maintainance of the Standing Forces, that I need not make uſe of arguments: Therefore I ſhall only mention what is neceſſar to be provided, and is expected from you by the King.

The Fonds of the laſt Supplies are fallen ſo ſhort, that the Troops are already much in Arear, and the late deſigns againſt

us made it remarkable, how ill we were provided of Arms and Ammunition, and that the Garifons and Forts are much out of repair.

What was appointed for buying and maintaining of Ships to guard our Coafts, is alfo come to much lefs than was imagined.

What you give for thefe ends, the King does expect will be as large as you can, and in the moft equal and eafy manner for the Country, and when the Recruits are wanted for our Troops abroad, that you take care they be ordered with as little expence and trouble as can be.

It is expected you will take the moft effectual method for putting the Kingdom in a poflure of Defence, which may be a means for difcouraging our Enemies from forming Defigns to difturb our prefent Quiet and Happinefs.

I am inftructed to pafs Acts for fuppreffing of Profanity, and for curbing of Vice: And it is expected, what you do in this, may be made effectual for obtaining the ends, and that they be afterwards impartially put in Execution by thofe of the Government. And I muft tell you my Lords and Gentlemen, that your fincere endeavours and example in this, will very much recommend you to our King.

I am allowed by His Majesty to assure you, that he is resolved to maintain Presbyterian Government in the Church of Scotland; and that it will be very acceptable to him, that difference amongst church-men be compofed: And he particularly recommends moderation in thofe matters.

I am allowed to give encouragement to Univerfities and Schools, which laft, are wanting in too many places, efpecially in the Highlands.

I am alfo impowered to confent to fuch laws, as fhall be neceffary for fecuring your Rights and Properties.

This feafon of the year, in which the Kings other affairs hath obliged him to call you, does require your diligence in putting an end to the affairs before you, as foon as poffible you can. And I am glad to have ground to hope, you will manage them with that unanimity and concord, which the King hath fo often recommended to you.

I fhall not trouble you with what concerns myfelf, I am very fenfible of my unfitnefs for the weighty and honourable charge I bear: I can only fay, that I earneftly defire, to be inftrumental in doing fervice to my King and Countrey, and am very confident of your hearty concurrence.]

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[THE Speech of Patrick Lord Polwarth, Lord High Chancellor of Scotland, at the opening of the fixth Seffion of the Parliament of Scotland, on Tuefday the eighth of September 1696.

My Lords and Gentlemen,

YOUR being again called together, while our Soveraign Lord the King, is abroad beyond Sea, is a new Proof of His Majefties great confidence in you, which no doubt, will be a ftrong obligation upon you, to acquit yourfelves as dutifully as if His Majefty were prefent with you:

This is our firft Meeting, fince it pleafed the Almighty to give us a great Deliverance, by difcovering and defeating the late execrable and helliih Plot, and Confpiracy, for Affaffinating our King, and invading his Kingdoms:

That fignal Mercy of His Majefties prefervation, cannot but enlarge our hearts in thankfulnefs to God, in love to our King, and in refolution and vigilancy againft his enemies:

It is an ineftimable Bleffing, that God has fet over us, and preferves unto us, a King not only profeffing the reformed Religion, but who alfo is fo pious in the Practice, and fo zealous in the Defence of it: a King, who has given to this Nation, many convincing demonftrations of His peculiar Favour towards it; and among others, that of eftablifhing Presbyterian Government in this Church, and giving us affurance that he will maintain it. Let our Prudence, Charity, and Moderation ever encourage him to do it:

His Majefty and His Kingdoms, have very powerful enemies, who with mighty Armies, do what they can to continue the War: while they are fo diligent, we are not to be remifs nor fecure:

'Tis true this War, is the greateft that ever was in Europe, and wherein we are neceffarly ingaged, is by the Bleffing of God upon the courage, and conduct of our King, removed to fuch a diftance, as that we the Subjects know little of it, but by the News we hear: We live at home, free from the Calamities which afflict the feat of a War; but at the fame time, our King, our Deliverer travels, and watches by day and by night, traverfes Sea and Land, expofes His precious Life to Dangers, that we may be in Safety, and that we may be at Eafe.

We are then to confider ferioufly what ftedable Service we can do to His Majefty, in a Senfe of our Duty and Gratitude: and to fet about it, with all Diligence and Unanimity.

The Commiffioner's Grace has very fuitably to his Character of Fidelity to the King, and Love to his Country, in His Majefties Name recommended to you Matters which highly concern the Kings Service, and the Countreys Intereft, (the fame thing in different Terms) fo that I need to fay little.

But you know, there is a neceffity to eftablifh a Fund fufficient for paying the Forces kept in the Countrey, and for maintaining the Forts and Caftles in a fit Condition.

And becaufe, for fparing the Kingdoms expenfe, His Majefty does not keep fo many Troops here, as might be requifite, for our Defence, in cafe any confiderable Attempt from abroad were made upon the Land. It is as neceffary, that the Countrey be put in fome better poflure, and be better provided of Arms and Ammunition.

The fettling an effectual method for recruiting the Troops of this Nation which are abroad, is one good mean, to keep the War at the diftance it is; and nothing can more encourage our Men to go common fouldiers, than that a good courfe be laid down, whereby they who return difabled from the Service, may be comfortably maintained.

The Trade of the Nation doth likeways require your care of maintaining Frigats for guarding your Coafts, and convoying your Merchants.

It is not to be doubted, but you will gain time, every conflideration preffing you to it, and fall upon fuitable methods, to anfwer His Majefties expectation in thefe things: for you fee how willing His Majefty is to affent to fuch Laws, as are needful for fecuring your Rights, and Properties; for encouraging Piety and Vertue: for fuppreffing Vice and Profanity, for educating your Youth, in Knowledge and Learning: And indeed to do for you, whatever doth tend to your Profperity and Happinefs.

Be pleafed to turn your thoughts to His Majefties other Kingdoms, in the fame bottom with this; and confider the Engliih, that wise, magnanimous, and powerful Nation, how liberally, and couragiouily they have acted, in maintaining the common Cause, take an Encouragement of them, and let your Actings be of Encouragement to them.

What you do, my Lords, and Gentlemen, in this your high Capacity, is ufually expreft by a very becoming Name, it is called the Kings Service, which to fpeak it plainly, you are conflulting, and acting for your felves; you reap the Fruit; the advantage is yours:

How great a happinefs is it, that what we do for our felves, has fuch a vein of Love and Fidelity to our King incorporated with it, as makes it to merit the Title of His Majefties Service: And that our King as Father of the Countrey, is graciouily pleafed to confider the Good we do for our felves, as the beft Service we can do to Him: May it ever be thus, let it never fail on our Part, that as our King has been a Bleffing from Heaven to us, fo His Majefty may have reafon to think, that his loving and dutiful Subjects, are the like to Him.]

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THE Orders of the houſe read and appoynted to be printed and affixed on the usuall places.

THE Marques of Tweeddale, the Earle of Erroll the Earle of Finlator the Viscount of Tarbat excuſed by his grace his Majesties Commiſsioner in reſpect of ther Indiſpoſitiones.

THE Earle of Selkirk excuſed by his Grace the Commiſsioner in respect of his neceſsary absence in attending his Majesties Person.

THE Lord Secretary Ogilvie and the Lord Advocat appoynted to revise the Minuts of this Seſsion of Parliament.

THE Lord Chancellor by order of his Majesties High Commiſsioner adjourned the Parliament till Thursday nixt at ten of the Cloak.

POLWARTH Cancellar.
I P D. Parl.

Thursday 10 of September 1696.

PRAYERS said Rolls called.

SIR William Stewart of Caſtlemilk Commiſsionar elected for the ſhyre of Lanark in place of the Laird of Lie deceaſed took the oath of alleadgance subſcryved the same with the aſsurance and took the oath of Parliament.

THE Earle of Sutherland Sir Thomas Kilpatrick of Cloſsburne Sir John Monro of Foulis, Major Buntain of Kilbryde, The Laird of Craigtoune excuſed by his Grace his Mäties Commiſsionar, in reſpect of ther Indiſpoſition As alſo some others excuſed for this days abſence.

MINUTS of the laſt Sederunt read.

ORDERED that the severall Eſtates of Parliament proceed to elect the Committies following viz. The Committee for the Securitie of the Kingdom, to conſiſt of nyne of each State That for the Committie of Trade to conſiſt of seaven of each State, And that for Contraverted Elections of fyve.

THE three Eſtates haveing seperated to ther uſuall places returned and reported ther reſive elections, And the liſts of the Committies are as followes. For the Securitie of the Kingdom Of the State of the Nobilitie The Earle of Melvill Lord President of the Counſell, The Earle of Argyle, The E. of Mar The E. of Mortoun, The E. of Glencairne, The E. of Lothian, The E. of Lowdoun, The E. of Leven, The Lord Beilheaven, Of the Commiſsioners for Shyres The Laird of Lamingtoun, Mr Francis Montgomrie of Giffan Sr John Maxwell of Pollock, Sr John Howſtoun of that Ilk, The Laird of Meggins, The Laird of Balhouſsie, The Laird of Grant, The Laird of Culloden, The Laird of Brodie. Of the Commiſsionars for Burghs Sir Robert Cheiſly, Robert Crookshanks, William Heggins, Sr Archibald Muir, Mr Alexander Cuninghame, William Brodie, Mr James Scougall, William Menzies, Sr William Hamilton For Trade Of the Nobilitie The E. of Crawfoord, The E. of Lawderdale, The E. of Carnwath, The E. of Kintore, The Lord Roſs, The Lord Carmichaell, The Lord Ruthven Of the Commiſsionars for Shyres Sir John Home of Blackatter, Sir John Swintoun of that ilk, Sir William Denham of Weſtſheills, The Laird of Rowallan, The Laird of Ridie, Alexander Duff of Bracco, Adam Gordon of Dalfollie Of Commiſsionars for Burghs Patrick Thomson, John Anderſon, John Muir, James Moodie, Mr James Smollet, Mr Wm Erſkin, Hugh Broun For Contraverted Elections Of the Nobilitie The E. of Argyle, The E. of Leven, The Lord Forreſter, The Lord Beilheaven, The Lord Bellenden, Of the Commiſsionars for Shyres The Laird of Beinſtoun, The Laird of Torwoodlie, The Laird of Riccartoun, The Laird of Livingſtoun, The Laird of Aſſlik, Of Commiſsionars for Burghs James Smith, Alex' Swintoun, Mr Robert Cleland, Robert Johnſtoun, Robert Fae.

THE Kings Letter to the Parliament preſented by My Lord Commiſsionar his Grace read. Ordered that a Committie be appoynted of one of each state for draweing ane anſuer to the Kings letter, And the Eſtates haveing seperated returned ther elections For the Nobilitie, The E. of Louthian Of the Commiſsionars for shyres The Laird of Grant Of the Commiſsionars for Burrowes Sir William Hamilton.

HIS Mätie haveing taken Notice in his letter of the delyvery given by God Almightie from the late wicked and crual Conspiracie agt his Mäties perſon & Kingdoms The Lord Chancelor moved That the Aſsociation in the forme appoynted and publiſhed by the Lords of his Mäties Privie Counſell may be immediately subſcrived by all the Members of Parliament and sent to the King, with the Parliaments anſuer to his Mäties letter, Which was unanimouſly and cheirfully agreed to And after reading of the Aſsociation the same was ſubſcrived by all the members of Parliament.

DISPENSATION granted to the Juſtice Court to sit notwithſtanding of the sitting of the Parliament.

A WARRAND granted to the burgh of Cullen for electing a Commiſsioner in the place of Sr James Ogilvie appoynted by his Mätie to have place and vote in Parliat as Secretarie of State.

ORDERED that the Kings letter to the Parliament be printed.

THE Committees appoynted to meet to morrow at nyne a cloak in the uſuall places.

THEN the Lord Chancellor by order of his Mäties high Commiſsionar adjurned the Parliament till Saturday at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Saturday 12 of September 1696.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

THE E. of Strathmore took the oath of alleadgance & ſubſcrived the same with the aſsurance and took the oath of Parliament.

COMMISSION The E. of Selkirk Lord Regiſter to Mr Alexr Gibson one of his deput Clerks of Parliament to preſent signe and officiat for him dureing his abſence in this Seſsion of Parliament preſented & ordered to be recorded.

SIR Alexr McKenzie of Coull one of the Commiſsionars for the shyre of Roſs and John Cuthbert of Draikies Commiſsionar for the burgh of Invernes excuſed by his Grace his Maties Commiſsionar, becauſe of ther preſent indiſposition.

THE Laird of Gairsie Commiſsionar choſen for Orknay took the oath of alleadgance subſcrived the same with the aſsurance, and took the oath of Parliament.

REPORT brought in from the Committee for ſecuritie of the Kingdom bearing that sufficient supplies be granted to his Mätie for mantaining the ſtanding forces, repairing of the forts and gariſons, provyding of armes and ammonition and paying the

Frigats and Cruifers, The annexed excife being included in the fond for thefe ends and ufes read voted and approven in Parliament nemine contradicente.

ANOTHER report brought in from the faid Committee finding that fourteen hundereth and fourtie thoufand pounds be raifed for a year for the ufes and ends forfaid And that fonds be fetled for makeing the same effectuall including the annexed excife as faid is read voted and approven in Parliament alfo nemine contradicente.

A MOTION being made that confidering the danger this Kingdom was in by the late intended wicked & cruell Conſpiracie ag^{t} his Mãties perſon and Kingdoms ane act ſhould be brought in for ſecuritie therof. It wes remitted to the forfaid Committie to bring in ane act for ſecureing of our Religion Lives & Properties in caice (as God forbid) his Mãtie ſhould come to any untimely death.

PETITION Sr David Cuninghame of Robertland against Corſhill and his Creditors ordained to be ſeen & anſuered against Thurſday nixt.

ANE Overture for the better ſheilling & prepairing of barley Remitted to the Committee for trade.

OVERTURE for ane act regulating the former law as to deeds done on death bed read and remitted to the Committee for ſecuritie of the Kingdom Overtures for ſeverall other acts for clearing and ſecureing privat rights alſo remitted to the ſaid Committee viz. Act that tutors nominat may be exeemed by the teſtator from the hazard of omiſsions. Act alloweing ſecurities and decreits to be written book ways. Act for farder cleiring the regiſtration of Seaſins, and other heretable Securities. Act regulating the preſcription of Tutors and Curators accompts. Act for keeping regiſters of Baptiſms and burialls. Act for the better provyding of the poor. Act for regulating of aliments. Act ag^{t} clipping of money. Act ag^{t} mixing Salt in Ale. Act for proviſion of younger children out of the heretable estate by the father tho on deathbed. Act for the farther regulating of the ſale of bankrupts lands. Act defining nottour bankrupt. Act that the jus mariti may be qualified and limited per pacta nuptialia. Act that seaven years abſence out of the Kingdom unheard of preſume death vnles the perſon be proven to be alive. Act concerning the delyverie of the wryts of bankrupts eſtates sold by roup. Act for the ſale by roup of parcells of eſtates for cleiring of incumbrances. Act for repairing of the high ways, and filling up of coal pits. Act against subſcriveing of blank wryts. Act concerning proceſſes of Divorce.

MOVED that the Committee for ſecuritie of the Kingdom reconſider the act made the laſt Seſſion of Parliament ag^{t} the fraud of appeirand aires which was agreed to.

ACT for encouradgeing of fiſhing with ane act for reſtraining gunners and foulers from ſpoileing of the game remitted to the Committee for trade.

THE Committees appoynted to meet on Munday nixt at nyne a cloak in the forenoon.

THE Lord Chancellor by order of his Mãties high Commiſsioner adjurned the Parlia^{t} to Tueſday nixt at ten a cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Tueſday the fifteenth day of September 1696.

PRAYERS ſaid Rolls called.

William Spittell of Luchart Commiſsioner chosen for the burgh of Inuerkeithing and Patrick Murray of Dollary Commiſsioner choſen for the burgh of Eaſter Anſtruther took the oath of alleadgeance ſubſcryved the ſamen with the aſsurance and took the oath of Parliament.

Patrick Wallace Commiſsioner for Kinghorne excuſed by his Grace his Mãties Commiſsioner becauſe of his indiſpoſitione.

A WARRAND granted to the ſheriff and freeholders of the ſhyre of Murray for electing a Commiſsioner in place of the Laird of Grange now deceaſt and the freeholders of that ſhyre ordained to meet at Elgine the firſt Tueſday of December next for that effect.

MINUTS of the laſt Sederunt read.

A REPORT brought in from the Committie for ſecurity of the Kingdome bearing that a Land Ceſs and ane additionall Excyſe be the fonds for raiſeing a million and eightie thouſand pound of the fourteen hundereth and fourtie thouſand pound offered to his Majeſtie read voted and approven in Parliament nemine contradicente.

THE Report from the ſaid Committie for proportioning the quota of the Ceſs and Excyſe for makeing up the forſaid ſumme read, and the further conſideration therof delayed till to morrow.

PETITION for the Generall and Maſter of his Majeſties Mint toutching the Copper Coyn read and remitted to the Committie for ſecurity of the Kingdome.

OVERTURE for ane act in favours of Univerſities Colledges Schoolls and Hoſpitalls, remitted to the Committie for ſecurity.

ACT concerning the delyvering of meal by weight brought in from the Committie of Trade read and ordained to lye on the table.

THE Committies appoynted to meet this afternoon at fyve a cloack.

THEN the Lord Chancellour by order of his Majeſties high Commiſsioner adjourned the Parliament till to morrow at ten a cloack in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Wednesday the Sixteenth of September 1696.

PRAYERS said The Rolls called.

Patrick Murdoch Commiſsioner for the burgh of Whythorne excuſed by his Grace his Mãties Commiſsioner becauſe of his indiſpoſition.

Sir John Hamilton of Halcraig Commiſsioner choſen for the burgh of Cullen took the oath of alleadgance ſubſcrived the same with the aſsurance and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

ANE Report brought in from the Commitee for fecurity of the Kingdome bearing that the supplies for mantaining of the ſtanding forces &c. be given to his Mātie for two years read and after some debate it wes put to the vote Proceed or Delay the conſideration of this Report and it caried Proceed.

THEN the Parliament haveing considered the said Report it wes put to the vote Approve or not and it carried in the affirmative.

ANE other Report brought in from the ſaid Commitee that four pennies on the pynt includeing the annexed Excyſe for two years as also that ten months Land Ceſs yearly for two years be granted to his Mātie for mantaining the standing forces mantaining and paying the friggots and cruizers for two years and for buying ammunition and arms and reparing the Gariſons. As lykeways a third Report from the same Commitee that the Retention of one per Cent of annualrents be granted to debitors for the said two years and the Parliament takeing first to ther consideration this last Report concerning Retention After some debate it wes put to the vote Whither Retention of one of six per Cent of annualrents ſhould be retained by debitors for two years or for one year and ane half and it caried Retention for one year and ane half.

THEN the Parliament proceeded to conſider whither four pennies upon the pynt includeing the annexed excyſe and ten moneths Land Ceſs for two years or if the four pennies upon the pynt of excyſe with the said ten moneths Ceſs for the first year and for the second three pennies of additional excyse to the annexed excyſe makeing in all six pennies per pynt with eight moneths Ceſs should be granted to his Mātie and it Carried by vote four pennies on the pynt of excyſe and ten moneths Land Ceſs for one year and six pennies on the pynt of excyse including as formerly with eight moneths Land Ceſs for the second yēar.

ANE Overture for bringing in ane act for makeing of Salt after a new faſhion fit for cureing of fiſhes read and remitted to the Commitee for trade.

ANE Overture for erecting a Royal Societie of sword men read and remitted to the Commitee for elections.

PETITION the Lord Roſs against Sir Robert Milne presented and ordained to be ſeen and anſwered against Munday nixt.

DISPENSATION to the Shirriff Court of Edr to sit for one day notwithſtanding of the sitting of the Parliament.

ANE Overture for makeing Salt upon Salt read & remitted to the Commitee of Trade.

THE Committies appointed to meet to morrow at nyne of the cloack in the forenoon.

THEN the Lord Chancellor by order of his Mātie high Commiſsioner adjurned the Parliament till Fryday nixt at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Friday 18 September 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Lord Lindors excuſed by his Grace his Mātie's Commiſsionar becauſe of his indiſpoſition.

A WARRAND for a citation at the inſtance of the Laird of Roſehaugh against Sr William Scot of Harden granted in common forme.

ACT brought in from the Committee for ſecuritie of the Kingdom for ſigneing the aſsociation by all in publict truſt read & ordered to ly on the table till to morrow.

ACT brought in from the ſaid Committee for vplifting of the eighteen moneths Supplie vpon the land rent read. And the queſtion being moved If the ſame ſhould be payed at the terms contained in the act as brought in. The vote was ſtated if the Supplie vpon the land rent should be vplifted as contained in the act or quarterly and it Carried quarterly And after some other amendments the act was voted and approven in Parliament.

ACT regulating the former law concerning deeds done on deathbed brought in from the ſaid Committee read & ordered to ly on the table.

OVERTURE for bringing in ane act for suppreſsing of profainity remitted to the Committee for ſecuritie of the Kingdom.

PETITION of ſeverall officers of the forces concerning ther arrears read and the conſideration therof delayed till Tueſday nixt at which tyme thoſe of the Commiſsion appoynted in the laſt Seſsion of Parliament for the hearth and polemoney are ordained to give ane accompt of theſe funds.

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[TO His Majeſty's High Commiſsioner and the Honourable Eſtates of Parliament. The Suplication of ſeveral Officers lately in His Majeſty's Service.

Humbly Sheweth.

THAT where the Petitioners, after long Attendance upon the Payment of the Arrears due to them preceding Feberuary 1691, and for which ſeveral Funds (as Poll, Harth-money, and others) were ſettled and uplifted; yet the Petitioners are ſtill unpayed, notwithſtanding they have been at great Expences in waiting upon the ſamen. And being aſſured that your Grace and Lordſhips do incline and deſire, that Juſtice may be now done after ſo much delay, and a long and tedious Attendance, which has reduced your Petitioners to conſiderable Straits, ſome having upon the publick Faith of the Nation ſubſiſted their Companies for ſeveral Months out of their own private Intereſt. They do therefore humbly expect a Period be now put thereto, and that ſuch Courſes may be fallen upon, as will prove effectual towards their Satisfaction.

May it therefore pleaſe your Grace and Lordſhips, to take the Premiſſes to your Conſideration, and to appoint ſuch Methods to be laid down, as in Juſtice you ſhall ſee moſt conducing to the End above-mentioned. And your Petitioner ſhall ever pray.

Edr 18 Septr 1696.

HIS Majesties high Commiſsioner & the Eſtates of Parliament having heard this Bill they supersceid to give anſweir therto till Teusday nixt against which tyme the Commiſsion for the hearth & poll money are ordered to give in their report anent these ſonds.

POLWARTH Cancellar.
I P D. Parl.]

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PETITION Archibald Cockburne younger of Langtoun craveing a perſonall protection read & granted till the first Seſsion of Parliament after expyring of his fathers protection.

PETITION the Laird of Broomhall craveing a perſonall protection vpon the offer of a Diſpoſition and makeing faith as uſe is read & granted.

PETITION for John Sprewall merchant in Glaſgow craveing directors for manadgeing a certain collection committed to him by the Parliament read, and the Lord Chancelor his Māties advocat Mr Francis Montgomerie of Giffen Sr John Maxwell of Pollock or any three of them given him for directors.

PETITION for Mr Androw Burnet minister craveing his Confynement may be taken of, read & granted.

PETITION John Veitch preſentor of the ſignators in Exchequer craveing a recommendation to his Mātie for a debt aweing by King Charles the Firſt to his deceaſt father and in the mean tyme a perſonall protection read and remitted to his Māties advocat to conſider the inſtructions of this debt with a liſt of perſonall execution againſt him in the mean tyme.

THE Committees appoynted to meet to morrow at nyne of the cloak.

THEN the Lord Chancellor by order of his Māties Commiſsionar adjurned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Saturday 19th of September 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

ORDERED that the Commiſsioners for the several shyres give in ther additional liſts of those that are to be Commiſsionars for ordering and vpliſting of the Land Ceſs againſt Tueſday nixt.

ACT alloweing Rum made within the Kingdom to be therin vended read and ordered to ly on the table.

DRAUGHT of the Parliaments anſuer to the Kings letter brought in from the Committee to whom the same was remitted read voted and approven in Parliament.

ACT for ſigneing the aſsociation by all in publict truſt read this day and after some amendments voted and approven in Parliament.

OVERTURE for ane act for the right packing of Salmond remitted to the Committee for Trade.

REPORT of the Committee for trade touching the old fourtein shilling peices and ther fractions read and ordered to ly on the table.

ACT for ſelling of meall by weight read and the queſtion being stated if all ſorts of meall or oat meall only should be weighted it Carried that all sorts of meall ſhould be ſold and delyvered by weight and after some amendments the act was voted & approven in Parliament.

THE Committees appoynted to meet vpon Monday at nyne scloak in the forenoon.

THEN the Lord Chancelor by order of his Māties high Commiſsionar adjurned the Parliament till Tueſday nixt at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Tueſday 22 of September 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

ACT brought in from the Commitee for ſecurity of the Kingdome granting to his Mātie ane additionall Excyſe and for upliſting the samen with the annexed Excyſe read & after ſome amendments voted and approven in Parliament.

REPORT from the Commiſsion of the Pole read & the conſideratione therof delayed till fryday next And his Māties Sollicitor appoynted to cauſe print the ſame that the members may have coppies and all parties concerned ordained to inform the Parliament against the ſaid day.

PETITION the officers of the Lord Jedburghs regiment read & ordered to lye on the table till fryday next.

REPRESENTATION be the miniſters of the church to the Parliament read & remitted to the Commitee for security of the Kingdom.

OVERTURE for working levells and sinks to mynes and coall-pits read & remitted to the Commitee for Trade.

OVERTURE for building the harbour at Greenock read & remitted to the Commitee of Trade.

OVERTURE for ane conſtant faſhion of cloaths for men & another conſtant faſhion of cloaths for women read & remitted to the Commitee for Elections.

PETITION the Lord Roſs against Sir Robert Milne read & the cauſe remitted to the Seſsion to be diſcuſt summarly without abydeing the courſe of the roll.

OVERTURE anent bankrupts, As alſo another overture touching deeds done on deathbed read & ordered to lye on the table, And his Māties Sollicitor appoynted to cauſe print theſe two Overtures for the better information of the members.

ACT allowing Rum made within the Kingdome to be vended therin read voted & approven in Parliament.

OVERTURE brought in from the Commitee for trade anent the old fourteens & ſeven ſhilling pieces read & appoynted to lye on the table & the ſamen ordered to be printed.

OVERTURE cencerning the order to be obſerved in Parliament in the making & paſsing of acts read & remitted to the Commitee for ſecurity of the Kingdome.

PETITION the Earl & Countes of Sutherland read As lykeways another Petition be Sir Thomas Burnet of Leyes & the Laird of Knox be way of anſwer to the forſaid Petition read and after ſome debate the vote ſtated If the Petitions ſhould be remitted to the Seſsion or committed to a Committee of Parliament and Carryed remit to the Seſsion.

THE Earle of Annandaill excuſed by his Grace his Māties Commiſsioner in reſpect of his Ladys sicknes.

THE Committees appoynted to meet to morrow at nyne of the clock in the forenoon.

THEN the Lord Chancellour by order of his Māties High Commiſsioner adjourned the Parliament till Thurſday next at ten of the clock in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Thurſday 24 September 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

OVERTURE for makeing of ane act against Bankrupts brought in from the Committee for security of the Kingdome read & after ſome amendments the ſame paſsed in ane act which was voted & approven in Parliament.

OVERTURE for makeing ane act for regulating deeds done on death bed brought in from the ſaid Committee read & after ſome amendment the ſame paſsed in ane act which was voted & approven in Parliament.

OVERTURE for bringing in ane act ratifying the Act of Sederunt made by the Lords of Seſsion for clearing the matter of death bed and the alledgeance of goeing to kirk & mercat remitted to the Committee for ſecurity of the Kingdome.

OVERTURE for explaining a clauſe of the twenty fourth act of the fifth Seſsion of this current Parliament entituled Act for obviating the fraud of appeirand aires brought in from the ſaid Committee read and ordered to lye on the table And the Sollicitor appoynted to cauſe print the ſame for the better information of the members.

OVERTURE for ane act allowing the nominatione of tutors & curators with ane exemption from omiſsions or being lyable conjunctly & severallie in solidum brought in from the ſaid Committee read & ordered to lye on the table And the Sollicitor appoynted to cauſe print the ſame for the better information of the members of Parliament.

OVERTURE for ane act limitateing the preſcription of tutors and curators their accompts brought in from the ſaid Committee read & ordered to ly on the table And the Sollicitor appointed to cauſe print the ſame.

OVERTURE for ane act concerning the order to be obſerved in Parliament in the makeing & paſsing of acts brought in from the ſaid Committee read & ordered to lye on the table.

OVERTURE for ane act for the right cureing and packing of Salmond brought in from the Committee for Trade read and ordered to lye on the table.

OVERTURE for ane act concerning the old fourteens and the old seven ſhilling pieces brought in from the ſaid Committee read & ordered to lye on the table.

OVERTURE for ane act in favors of Mr James Smith for bringing in water to the City of Edr or any burgh royall within the Kingdome where water is scarce remitted to the Committee for Trade.

OVERTURE for bringing in ane act in favors of the Combmakers read and remitted to the Committee for Trade.

OVERTURE for ane act in favors of Johne Hamiltoun merchant burges of Edr for the better prepareing of barley brought in from the Committee for Trade read and ordered to lye on the table till to morrow.

OVERTURE for ane act for takeing away the impoſition of Tunnage of ſhips layed on the laſt Seſsion of Parliament, Remitted to the Committee for Trade.

PETITION Sir David Cuninghame of Robertland against Corſhill & his creditors craveing that the report of the ſaid cauſe given in by the Committee of the laſt Seſsion of Parliament for privat affaires might be approven and after ſome debate the queſtion was stated Approve of the report of the Committee or not, it Carryed in the affirmative And it being afterwards moved that Robertlands reduction against Corſhill & his creditors ſhould be remitted to the Seſsion After ſome debate it was put to the vote If the samen ſhould be Cognoſced by the Parliament or Remitted to the Seſsion And it carried Remit to the Seſsion And the conſideration of the other parts of his Petition delayed till to morrow.

PETITION the Earl & Countes of Seaforth against Sir John Dempſter of Pitliver read and Pitliver ordained to ſee and anſwer against to morrow.

THE Committees appoynted to meet to morrow against nyne a clock in the uſual places.

THEN the Lord Chancellor by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Friday 25 of September 1696.

PRAYERS said Rolls called.

MINUTS of laſt Sederunt read.

MOVED that the ordaining the petition of the Earl and Countes of Seaforth to be seen and anſuered be Pitliver doe not import a ſiſt of execution in the mean tyme Which was agreed to.

ACT alloweing the nomination of tutors and curators with ane exemption from omiſsions or being lyable conjunctly and severally in solidum read and after some amendments it was voted and approven.

ACT limiting the preſcription of tutors and curators accompts read and after some amendments it was voted and approven.

ACT concerning the order to be obſerved in Parliament in the makeing and paſsing of lawes read. And after some debate & amendments the vote ſtated Approve or Amend and carried Approve.

ACT for explaining a clauſe of the twenty fourt act of the fyft Seſsion of this current Parliament entitled Act for obviating the fraud of appeirand aires read & after some debate it was put to the vote Approve the same or not and Carried in the affirmative.

ACT of Supply, Act for ane additionall Excyſe, Act appoynting the aſsociation to be ſubſcribed by all perſons in publict truſt Act regulating deeds done on deathbed, Act declairing nottour bankrupt, Act for ſelling of meall by weight, Act alloweing the vending of Rum, Act anent the nomination of tutors and curators, Act of preſcription touching tutors and curators accompts, Act that no law paſs at the firſt reading touched with the Scepter by his Mäties high Commiſsioner in the uſuall manner.

PETITION for the officers of the Lord Jedburghs regiment, as alſo the petition for the ſeverall officers lately in his Mäties Service remitted to the Committee for ſecuritie of the Kingdom.

PETITION for the town of Borrowſtounneſs craveing a bridge to be built over the water of Aven and for appoynting a contribution from some of the neighbouring paroches for that effect remitted to the Committee for Trade.

ORDERED that the Commiſsionars for the ſeverall Shyres give in ther additionall liſts of thoſe who are to be Commiſsionars for vpliſting and ingathering of the supplies against the nixt meeting of Parliament.

THE Committees adjurned till to morrow at nyne of the cloak in the forenoon.

THEN the Lord Chancellor by order of his Mäties high Commiſsioner adjurned the Parliament till Munday at ten a cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Munday 28 September 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

ACT concerning the old fourteins and old ſeven ſhilling peices brought in from the Committie for Trade againe read and after ſome debate The queſtion being ſtated Approve of the act as it came from the Committie or Amend, it carried Approve.

DRAUGHT of ane act regulating actions for aliments brought in from the Committie for ſecurity of the Kingdome read and ordered to ly on the table till the next day.

OVERTURE for bringing in ane act in favours of purchaſers of Lands read and remitted to the Committie for ſecurity of the Kingdome.

DRAUGHT of ane act for the meeting of the Parliament in caſe of the death of the King (whom God preſerve) brought in from the ſaid Committie read and ordered with a clauſe to be added to it to ly on the table.

OVERTURE for reſtricting the Act of Parliament againſt the importation of Iriſh victuall read and remitted to the Committie for Trade.

DRAUGHT of ane act for regiſtration of ſummonds for interruption of preſcription brought in from the Committie for ſecurity of the Kingdome read and ordered to ly on the table.

OVERTURE for bringing in ane act for mantaineing of poor priſoners read and remitted to the ſaid Committee.

OVERTURE for ane act touching vitious intromiſsion with moveables read and remitted to the ſaid Committie.

ACT for declareing the burgh of Greenlaw lyeing in the ſheriffdome of Berwick to be head burgh of the ſame read and ordered to ly on the table.

OVERTURE for bringing in ane act in favours of the burghs of regallity and barronie read and Maſter John Buchan agent for the burghs royall ordained to ſee the ſame againſt Wedenſday next.

PROPOSALS for the ſtewartry of Orknay and Zetland remitted to the Committie for Trade.

OVERTURE for bringing in ane act for the effectuall payment and inbringing of his Majeſties rents and revenews remitted to the Committie for ſecurity of the Kingdome.

ACT in favours of Univerſities Schools and Hoſpitalls brought in from the ſaid Committie read and ordered to ly on the table.

ACT reſerveing the priviledges of burghs of regality and barronie alſe weell as of burghs royall anent the cureing and packing of Salmond read the ſecond tyme and after ſome amendaments voted and approven.

ACT concerning the payments to be made to miniſters out of the vacant ſtipends brought in from the Committie for ſecurity read the firſt tyme and ordered to ly on the table.

OVERTURE for ane act for expenſes in ſuſpenſions remitted to the Committie for ſecurity of the Kingdome.

OVERTURE for bringing in ane act anent incloſers and plantings remitted to the Committie for ſecurity of the Kingdome.

THE Lord Secretary Lord Advocat Lord Juſtice Clerk and Sir Patrick Home his Majeſties Solicitor appoynted to reviſe the Ratificationes that are to paſs this Seſsion of Parliament.

ACT anent the regiſtratione of Seaſines and others brought in from the Committie for ſecurity read and ordered to ly on the table.

PETITION John Trotter of Mortounhall and others againſt Sir James Dick of Preiſtfeild read and Sir James Dick ordered to ſee and anſwer againſt Wedenſday nixt with certification.

ORDERED that the report of the Commiſsion for the Pole be under conſideratione to morrow before any other privat affaire.

PETITION for William Pattoun of Panholls craveing his loſses which he ſuſtained by ſome diſsaffected perſons to the Government read and remitted to any fyve of the Commiſsioners of Supply in the ſheriffdome of Perth three being a quorum to take probation of the ſaids loſses and to report.

PETITION for the Maſters of the Mariſhall Colledge of Aberdeen craveing a former gift of certaine vacant ſtipends might be renewed and some more added for the uſe mentioned in the gift read and the former grant renewed and ordered that the vacant ſtipends of all theſe kirks of which the Earle of Mariſhall and Kintore are patrons be given to the ſaid Colledge And the ſame benefit granted to the Kings Colledge of Aberdeen and the other erected Univerſities of Saint Andrews Glaſgow and Edinburgh where theſe Colledges or the Univerſities are patrons & thia gift to continew only to the nixt Seſsion of Parliament.

OVERTURE for bringing in ane act for extending the third Rule subjoyned to the book of Rates and approven by the act of Parliament 1669 to all free ports remitted to the Committie for Trade.

PETITION for William Beattie late Baillie of Bervie craving a gift of ſome vacant ſtipends for building the bridge of Bervie read and granted.

THE Committies appoynted to meet to morrow at nyne a clock in the forenoon.

THEN the Lord Chancellor by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Tueſday 29th Septr 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

COMMISSION to Sir Robert Gordon of Gordonſtoune to be one of the Commiſsioners for the Shyre of Elgin remitted to the Committie for contraverted elections.

DRAUGHT of ane act for the meeting of the Parliament in caiſe of the Kings death (whom God preſerve) read a ſecond tyme and ordered to ly on the table.

DRAUGHT of ane act for regulateing actiones for aliments read the second tyme and ordered to ly on the table.

DRAUGHT of ane act for payments to be made to miniſters out of vacant Stipends read the second tyme and therafter voted and approven.

DRAUGHT of ane act allowing the coyning of a certain quantitie of copper brought in from the Committie for ſecuritie of the Kingdome read the firſt tyme and ordered to ly on the table.

DRAUGHT of ane act for regiſtration of ſummonds for interruption of preſcription read the second tyme.

DRAUGHT of ane act in favours of Univerſities Schools and Hoſpitals read the second tyme and therafter voted and approven.

DRAUGHT of ane act allowing all wryts to be wrytten bookways read the second tyme and therafter voted and approven.

DRAUGHT of ane act for makeing Salt after a new manner brought in from the Committie for Trade read the firſt tyme and ordered to ly on the table.

OVERTURE for ane act againſt the killing of Smolts and the Fry of Salmond remitted to the Committie for trade.

OVERTURE for regulating the method for inbringing the forraigne Cuſtoms and Excyſe remitted to the Committie for trade.

REPORT from the Committie for the Pole read.

MOVED that the certification againſt the Commiſsioners for the Pole contained in the act of Parliament appointing that Commiſsion ſhould be taken off And after some debate the queſtion being stated Take off the Certificatione or not it Carried in the affirmative And as to theſe two articles of the Report of the Commiſsion viz. touching the old taxmens expences and if they ſhould be lyable for the vintuples Ordered that the taxmens lawers should be heard therupon the nixt meeting of Parliament.

ACT for declareing the burgh of Greenlaw lying in the Shirreffdome of Berwick to be the head burgh of the ſaid Shyre read a ſecond tyme and therafter voted and approven.

A PROPOSAL touching the ſervants of Papiſts remitted to the Committie for ſecuritie of the Kingdome.

DRAUGHT of ane act brought in from the Committie for trade for the bringing in of water to the Citie of Edinburgh or any other place within the Kingdome where water is scarce read for the firſt tyme and ordained to be printed.

MOVED that ſuch additionall Commiſsioners as ſhall be given in for the Shyre of Fyfe and who have already qualified themſelves should qualifie themſelves again be vertue of this nomination And the queſtion being stated if the vote upon this motion ſhould paſs in reference to the Shyre of Fyfe only or to the haill Kingdome the vote carried Fyfe only Then the vote being stated in the terms of that motion It Carried in the affirmative.

PETITION for Mr Alexander Anſtruther of Newwark craveing he might be allowed to qualifie himſelfe to the effect he may be readmitted to his imployment as ane advocat read & the deſyre therof granted and he allowed to qualifie himſelfe befor the Committie for ſecuritie.

THE Committies appointed to meet to morrow against eight a cloack in the morneing.

THEN the Lord Chancelor by order of his Māties high Commiſsioner adjourned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl

Wedneſday 30 Septr 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE draught of the act for the meeting of the Parliament in caiſe of the Kings death (whom God preſerve) again read And after some debait It was put to the queſtion if the Clauſe relateing to military Commiſsions should be altered or continued and being voted it Carried Continue Therafter it was put to the vote Approve of the act or not and Carried in the affirmative.

OVERTURE for bringing in ane act for reſcinding the retroſpect contained in the act paſt in the laſt Seſsion of Parliament Entituled Act against the fraud of appeirand aires Remitted to the Committie for Securitie of the Kingdome.

OVERTURE for bringing in ane act anent forfaulted eſtates remitted to the ſaid Committie.

OVERTURE for bringing in ane act for the makeing up the ſoums given out by his Mātie to thoſe who hath imported victuall into this Kingdom ſince Lambas laſt. And likewiſe for the defraying the Expenſes of the new Cuſnage of the old fourteens and the old ſeaven shilling peices appoynted by ane act of this Seſsion of Parliament remitted to the Committie for Securitie of the Kingdome.

ORDERED that the Committie for Contraverted Elections meet to morrow at nyne a cloak in the forenoon for diſcuſsing the objections shall be offered against Sir Robert Gordon of Gordonſtoune his Commiſsion to be one of the Commiſsioners for the Shyre of Elgin Reſolved if the ſaid Committie doe not meet the objections shall be diſcuſt in plaine Parliament.

THE Committies appointed to meet to morrow at nyne a cloak in the forenoon.

THEN the Lord Chancelor by order of his Māties High Commiſsioner adjourned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Cancellar
I P D. Parl.

Thurſday firſt of October 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

REPORT of the Committie for contraverted Electiones finding the Commiſsion granted to Sir Robert Gordon of Gordonſtoun to be one of the Commiſsioners for the Shyre of Elgin to be illegall, read voted and approven and the Shyre ordered to proceid in their election upon the day appointed in the warrand already granted this Seſsion of Parliament for that effect.

THE draught of ane act anent Regiſtration of Seaſins and other heretable rights and diligences again read And after some debaite it was put to the vote Approve the Clauſe declaratorie in the ſaid act or Alter it and it Carried Approve, Then the other Clauſe for the due Regiſtration of Seaſins & others being voted it was alſo approven and thereafter the act was ordered to be wrytten over in mundo And then read voted & approven.

DRAUGHT of ane act for founding of Schools and mantainance of Schoolmaſters brought in from the Committie for Security read the firſt tyme and ordered to ly on the table.

THE Draught of ane act for coyning a certain quantitie of Copper read the second tyme and the Conſideratione therof delayed till the nixt meeting of Parliament.

MOVED that the queſtions in the Report of the Commiſsion for the Pole be remitted back to the ſaid Commiſsion with a parliamentary power to determine therin and it being put to the vote Remit or not it carried Remit.

PETITION Maſter David Douglas Craveing he might be allowed to qualifie himſelfe to the effect he may be reſtored to the exerciſe of his imployment as ane advocat read and the deſyre therof granted and he allowed to qualifie himſelfe befor the Committie for Securitie of the Kingdom

TWO Petitions one for Maſter Thomas Skeen the other for Mr Archbald Hamiltoun Craveing they might be allowed to qualifie themſelves to the effect they may be reſtored to the exerciſe of their imployments as advocats read and the deſire of them both granted & they allowed to qualifie themſelves befor the ſaid Committie.

OVERTURE for bringing in ane act for killing of Foxes remitted to the Committie for trade.

PETITION for Mr Archbald Sinclair Judge Admirall remitted to the Committie for Securitie of the Kingdome.

OVERTURE for putting the Kingdom in a poſture of defence remitted to the ſaid Committie.

THE Committies appointed to meet at nyne a cloak to morrow.

THEN the Lord Chancelor by order of his Mãties High Commiſsioner adjourned the Parliament till Munday next at ten a cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Monday 5th October 1696.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

THE Lord Kinnaird excuſed by his Grace His Majeſties High Commiſſioner in reſpect of his indiſpoſition. John Ewart for the Burgh of Kirkudbright excuſed by his Grace his Majeſties high Commiſſioner by reaſon of his age & infirmity.

PETITION Sir Alexander Cuming of Culter, Mr Charles Gray Archbald Cockburn younger of Langtoun, Mr James Nasmyth of Dawick, & Mr Alexander McLeod, Craveing they may be allowed to qualifie themſelves to the effect they may be reſtored to the exerciſe of their employments as advocats read & the deſyres of the saids petitiones granted.

PETITION Mr Wm Gordon of Balcomie Craveing he may be allowed to qualifye himſelfe befor the Lords of Seſsione (in regaird he is not able to attend the Parliament becauſe of his preſent indiſpoſition) to the effect he may be reſtored to the exerciſe of his employment as ane advocat Read and the deſyre thereof granted.

ORDERED that in reſpect some of the members abſent have not ſubſcribed the aſsociation That theſe abſents who are Commiſsioners for Shyres ſubſcryve the same before the Sheriffe of the Shyres which they repreſent betuixt and the firſt of December next And theſe abſents who are Commiſsioners for Burghs ſubſcryve the ſame befor the toun Councell of the Burgh which they repreſent betuixt and the ſaid day Ordaining that if they ſubſcryve not the reſpective Shyres & Burghs proceed to a new election of Commiſsioners in their place.

ACT for erecting a new Sugar Manufactory in Glaſgow read the firſt tyme and ordered to lye on the Table.

PETITION for the Burgh of Banff for a voluntary contribution throughout the Kingdom for repareing their harbour read & the deſyre therof granted.

REPORT brought in from the Committee for Security of the Kingdom in behalf of the Earle of Argylle and the Lord Jedburghs regiments Recommending them to the King for payment of their arrears read, voted and approven.

DRAUGHT of the act for regiſtrating of Summonds raiſed for the interruption of preſcription read the second tyme & voted & approven.

THE draught of the act against vitious Intromettors with moveables read the second tyme & voted & approven.

DRAUGHT of the act touching aliments read the second tyme & voted and approven.

DRAUGHT of the act for founding of Schools & provydeing a mentainence for Schoolmaſters read the second tyme.

THE draught of the act for decerneing expences in callumnious Suſpenſions read the second tyme & voted and approven.

DRAUGHT of ane act anent proteſtant ſervants in Popiſh families read the firſt tyme and ordered to lye on the table.

DRAUGHT of ane act ordering the manner of Levies read the firſt tyme & ordered to lye on the table.

DRAUGHT of ane act for makeing Salt after a new faſhion As also a petition for the Saltmaſters Craveing to be heard against the same read and the conſideratione of the ſaid act delayed till to morrow.

THE draught of the act againſt profaneneſs brought in from the Committee for Securitie read the firſt tyme & ordered to lye on the Table.

DRAUGHT of ane act brought in from the Committee for contraverted elections ordering ane conſtant habit of cloaths for men and another conſtant habit of cloaths for women read the firſt tyme & ordered to lye on the table.

OVERTURE for ane act explanatory of the act anent short preſcriptions Remitted to the Committee for Securitie of the Kingdom.

PETITION for the Clerks of Seſsione relateing to the dues of their offices read & granted.

PETITION Henry Naval Payne Craveing that his caſe may be recommended to his Majeſtie and for a mentainence the tyme of his impriſonment read & granted.

PETITION the Lord Barganey for the vacand Stipend of some Churches whereof he is patron for building a bridge upon the water of Girvan As lykewayes for a voluntar contributione in the Shyres of Galloway and Aire for carrying on the ſaid work read & granted.

REPORT from the Committee of Trade anent the building of a bridge upon the water of Aven bearing that a voluntar contributione ſhould be appoynted for that end throughout the Kingdom As alſo that a certaine impoſitione be granted upon every loaded horſe and cart paſſing the Bridge when built for mentaining thereof read votted and approven.

PROTESTATION the Toun of Linlithgow proteſting that their right may be reſerved to them as accords notwithſtanding the ſaid grant.

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[UNTO his Majeſties high Commiſsioner and the Right Honourable The Eſtates of Parliament The humble Petition of the toun of Borrowstounpeſs for themſelves and others tradeing and repaireing from the weſt of Scotland to the said Toune.

Humbly Sheweth

THAT where the ancient way from the foot of the water of Aven to the said Toun is neceſsarly turned a conſiderable ſpace about by the parks and incloſures of Kinneill through very bad deep and uneven ground And that we are often in the hazard of our lives and damnifieing of our goods when the ſaid water of Aven is in ſpeat For remeid of which we have meaned ourſelves to his Lordſhip the Earle of Arran for a way through any convenient pairt of his incloſures and arrable ground and for liberty to build a bridge over the said water upon his ground which requeiſt his Lordſhip hes granted to us provydeing we and the other Touns who are to have the benefite of the ſaid bridge ſhall contribute for building the said bridge and ane wall to ſeclude the way from his Incloſures And alſe that we ſhould procure ane act of Parliament authorizeing his Lordſhip to exact a Cuſtome of all cartes, horſe loads and cariadges of merᵗ goods and others paſsing over the ſaid water or haveing the benefite of the way through his incloſures at the neareſt extent as ſaid is to compence him of the loſe and damnage of his parks and arrable ground yearlie.

May it therefore pleaſe his Grace his Mäties high Commiſsioner and honourable Eſtates of Parliament to ordaine a voluntar contribution through the Kingdom or ſuch Touns as will have the benefite of the ſaid bridge and way viz. Falkirk, Stirling, Glaſgow, Air, Irwing, Dumbartoun and the paroſhes of Airth, Bothkenner and the landward pariſh of Falkirk to contribute and bear a proportion of the charges thereof with us and grant ane act authorizeing the said Earle to exact a reaſonable cuſtome for making up the damnage of his parks and loſe of his arrable ground and for upholding the bridge, walls and calſay to be built for that effect And your petitioners ſhall ever pray &c

Ja: Stark	Tho: Knox
Wᵐ: Wilsone	Androw Caffells
John Wilsone	Eduard Joſsy
Wᵐ Rittchie	Magnus Morton
John Finlason	Richard Daling
Walter Duncan	Roᵗ Wᵐſone
Alexʳ Ritchies	Wᵐ Horne yoʳ
Ja: Hamilton	P Forrest
Wᵐ: Shepherd	Richard Henderſon
Ja: Tayes	Pat: Jamiſone
James Mitchell	Richard Durie
A Hamilton	And: Burnsyd
John Mortoune	James Caſsills
Mark Stark	John Ovie
Jo: Callender	

Edʳ 25 Septʳ 1696.

HIS Majeſties high Commiſsioner and the Eſtates of Parliament haveing conſidered this Petition they remit the ſame to the Committie of trade and to report.

POLWARTH Cancellar.
I P D. Parl.

Edʳ 30 Septʳ 1696.

THE Committee for trade are of opinion that a warrand be given for a general voluntar contribution over the Kingdome for building the within bridge walls & cawcies and for exacting a cuſtome of four penys of every loaded horſe paſsing therat & eight penys of everie loaded cart to continue for the space of nineteen years & two penys for every horſe load & four for the cart load in all time therafter toward the maintaining therof the cuſtome always commenceing after building the Bridge.

ROSSE I. P. C.

Edʳ 5ᵗʰ Octoʳ 1696.

HIS Mäties high Commiſsioner and the Eſtates of Parliament haveing heard and conſidered the above report with the objection offered for the toun of Linlithgow against the ſame They approve of the Report and ordain it to take effect Reſerving the toun of Linlithgowes right conform to ther Gift as accordes

POLWARTH Cancellar.
I P D. Parl.]

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DRAUGHT of ane act againſt killing of Smolts and the young fry of Salmond brought in from the committee of trade read the firſt tyme and ordered to lye on the Table.

OVERTURE for bringing in ane act for prorogateing the power of granting the highland Commiſsione and for makeing the same more effectuall Remitted to the Committee for Securitie.

ACT appoynting proclamations and all legall executiones within the Stewartrie of Monteath to be publiſhed & execute at the mercat Croſs of Doun in place of the Tope of Lata read the firſt tyme & ordered to lye on the table.

PETITION Sir David Cunynghame of Robertland for a perſonall protection as alſo anſuers by the Creditors of Corſehill to the said petitione read And it being put to the vote grant protection to the petitioner he disponeing to his Creditors and makeing faith therenpon in common form and ſuffering the Creditors to poſseſs his Estate peaceably without mollestatione, or refuſe the ſaid protectione it carried Grant protectione with the ämentioned Qualificationes and the petitioner ordained to be ſet at libertie.

ACT anent the poor read for the firſt tyme and ordered to lye on the Table

PETITION the Earle and Countefs of Seaforth against Sir John Dempfter of Pitliver Craveing a fufpenfione of the decreet obtained at Pitlivers inftance the laft Sefsione of Parliament against them, read and the conſideratione thereof delayed till to morrow.

PETITION the Countefs of Callendar against the Earle of Linlithgow Craveing a sentence of aliment granted by the Secret Councell may be reviewed by the Parliament or remitted to the Lords of Sefsione read And it being put to the vote if the Earle should be cited in common form or ordained to anfuer the petition It carried Cite in the common form.

PETITION Alexander Hunter of Murehoufe for a perfonall protectione read and the Creditors of Murehoufe ordained to fee and anfuer against Thurfday next.

PETITION Bruce of Kinaird Craveing a perfonall protectione Read and it being put to the vote If his Creditors should be cited or perfonall protectione granted upon the specialities of his petitione It carried Grant a personall protection upon the specialities contained in his petitione.

THE Committees appoynted to meet to morrow at nyne a cloack in the forenoon.

THEN the Lord Chancellour by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at Ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Tuesday the Sixt of October 1696.

PRAYERS said Rolls called.

MINUTS of the laft Sederunt read.

PETITION Mr James Forrester Craveing he may be allowed to qualifie himself befor the Lords of Sefsion, not being able to attend the Parliament, becaufe of his prefent indifpofition to the effect he may be restored to the exercife of his imployment as ane advocat read and the defyre thereof granted.

MOVED that the lifts of additionall Commifsioners of Supply given in by the Commifsioners for the Shyre of Fyfe be restricted as to the number there being a great number of Commifsioners of Supply for that Shyre already, The queſtion was stated whether there should be any additionall lift of Commifsioners for that Shyre or not, or if the additional lifts should be restricted as to the number or by valued rent, And after some debate it was voted whether firſt or second member of the queſtion should be the state of the vote & Carried the firſt. Then it was put to the vote whether there should be ane additionall lift of Commifsioners for the Shyre of Fyfe or not, and it Carried in the negative.

THERAFTER the additionall lifts for the rest of the Shyres were read.

MOVED that Magiſtrats of Royall Burghs should not (as such) be Commifsioners of Supply for any Shyre but only where they are heretors of the Shyre Which was agreed to.

ORDERED that the act of Supply be printed and publifhed & the Solicitor appoynted to difpatch Coppies thereof to the feverall Shyres & Burghs of the Kingdom.

PETITION Mr James Oliphant of Langtoun craveing he may be allowed to qualifie himfelf to the effect he may be restored to the exercife of his imployment as ane advocat read & the defyre thereof granted.

DRAUGHT of ane act against the subfcrveing of blank wryts & touching the inſtructing of truſts brought in from the Committee for Security of the Kingdom read the firſt tyme & ordered to lye on the table.

DRAUGHT of ane act for raiſing of Levies & Recruits read the second tyme and after some amendments voted & approven.

ACT that no perſon declaired bankrupt or haveing a protection vpon a ceſsio bonorum shall continow or be elected a Commifsioner to the Parliament read the firſt tyme & ordered to lye on the table.

THE Draught of the act for coining a certain quantity of copper read, and after some debate it being put to the vote Proceed or Delay it carried Proceed, Then the vote being stated Approve the act or not, It carried Approve.

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[ACT anent the Copper Coine.

OUR Soveraigne Lord Considering that by the Act of Parliament made in the yeir 1686 anent the mint It is provydit That noe Copper shall be coyned without his Majesties expreſs warrand And that all Copper q^th shall be soe coyned, shall be coyned in tuo pennie and six pennie Scotts peices, And that fourtie of the six pennie peices and six score tuelve of the tuo penny peices shall make a pound as the ſaid act beares, As alſo that the ſaid value out of the pound is now found to be soe little that it will not well repey the Charges waste and travell of the Coynadge Thairfore and for supply of the present want of Copper Coine, for the eaſie exchange and support of the poor His Majestie with advyce and consent of the Estates of Parliament, Allow such a quantitie of Copper Coyne to be Coyned as his Majeſtie shall think fit to order by his expreſs warrant not exceeding Three thousand stones of Copper in the space of six yeires wherof tuo pairts in tuo penny peices and a thrid in six pennie peices, and that at such a rate as shall be appoynted by his Majeſtie not exceeding threttie shilling ſcotts in the pound weight of Copper, And that notwithstanding of the forſaid act of Parliament 1686 or any former act in the contrary provydeing that the ſaid quantitie of Three thousand stones be so devydit as that no more then fyve hundred stones be coined in one yeir, And that the coineing therof commence not befor the firſt of May 1697 As alſo that albeit the forsaid alteratione of the value be at this tyme allowed for the quantitie forsaid, yet efter that the ſaid Three thousand stones of Copper shall be coined the forſaid act past in anno 1686 shall stand in its full force as to the matter of Copper Coyne in all poynts, And the Estates of Parliament Doe humbly Intreat his Majeſtie to recommend to his Privie Counſell to take exact care that no more be coined at the rate heirby allowed then the ſaid quantitie and in such proportiones as His Majeſtie shall preſcryve not exceeding fyve hundred stones in one yeir as ſaid is And His Majeſtie with conſent forſaid Statutes and Ordaines That the exceeding of the forſaid quantitie at the rate heirby allowed above that of the act of Parliament 1686 shall be punished as false Coinadge.

Ed^r 6th Octr 1696.

This act read votted & approven in Parliament.

POLWARTH Cancellar.
I P D. Parl.]

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THE Committees appoynted to meet to morrow at four a cloak in the afternoon.

THEN the Lord Chancelor by order of his Māties high Commiſsioner adjurned the Parliament till Thurſday nixt at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Thurſday the 8th of October 1696.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

DRAUGHT of ane Act ratifieing the Proclamation of Councell anent the poll read the firſt tyme and the Proclamation of Councell being alſo read the act was ordered to lye on the table.

THE Draught of the Act for payment of Creditors of forfaulted eſtates by giveing them land for ther debts read the second tyme and after some amendments voted and approven.

THE Draught of the Act anent proteſtant Servants in popiſh families read the second tyme voted and approven.

ACT for the poor and viſitation of Hospitals read the second tyme and after some amendments voted and approven.

ACT for alimenting poor priſoners in Burghs Royall read the firſt tyme & ordered to ly on the table.

THE Draught of the Act against the Subſcriveing of blank wryts and touching the Inſtructing of truſts read the second tyme voted and approven.

THE Draught of the Act for setling of Schools & provydeing of mantinance for Schoolmaſters read the second tyme and after some amendments voted and approven.

THE Draught of the Act that no perſon declared bankrupt or that hath taken a protection or made a Ceſsio bonorum continue or be elected a Commiſsioner to the Parliament read the second tyme and the queſtion being moved Approve the act or Amend, It carried Amend and the further Conſideration thereof delayed till the nixt meeting of Parliament.

THE Draught of the Act for erecting a new Sugar Manufactorie within the Burgh of Glaſgow read the second tyme and after some amendments voted and approven.

THE Draught of the Act approveing the proclamation of Councell for encouradgement of the Import of foraigne victuall read a second tyme voted & approven.

ACT that cobbs and old fourteins and ther fractions paſs by weight at the value of three pound four ſhilling the unce read the firſt tyme and ordered to ly on the table.

DRAUGHT of the Act in favours of Mr James Smith for bringing in water to burghs and other places where water is scarce read the second tyme and ordered to be brought in the next dyet of Parliament.

THE Draught of the Act for sheiling and prepairing of barley read the second tyme & ordered to be brought in the next dyet of Parliament.

DRAUGHT of ane Act againſt dueling brought in from the Committee for Securitie read the firſt tyme and ordered to ly on the table.

DRAUGHT of ane Act brought in from the said Committie for prorogating the Commiſsion of Juſticiarie in the Highlands read the firſt tyme and ordered to ly on the table.

ADDITIONAL Act anent the Juſticiary in the Highlands read the firſt tyme and ordered to ly on the table.

ACT for reſcinding the retroſpect of the twentie fourth Act of the Fifth Seſsion of this current Parliament Intituled Act for obviating the fraud of appeirand airs read the firſt tyme and ordered to ly on the table.

ACT for secureing the perſons of minors within pupilarity against Caption and other perſonall execution read the firſt tyme and ordered to ly on the table.

ACT against the Importation of Iriſh Catell Iriſh Horſe & Iriſh Salt Beiſe read the firſt tyme and ordered to ly on the table.

PETITION the woollen manufactorie of Newmilns Craveing a prohibition of the Import of forraigne Cloath remitted to the Commitie for trade to bring in ane act therupon.

ACT against Clipping and falſe Coining read the firſt tyme and ordered to ly on the table.

DRAUGHT of ane act against mixing Salt in Aile brought in from the Committie for trade read the firſt tyme and ordered to ly on the table.

PETITION James Bain his Māties late maſter wright Craveing a fond be appointed for reimburſeing him of the Soums he beſtowed upon the publict buildings of the Kingdom remitted to the Committie for Securitie & ordered to be brought in the nixt dyet of Parliament.

PETITION Robert Martin of Bruntbrae Craveing his loſses as Collector of the additionall excyſe of the Shyre of Aberdein to be Conſidered read and the petitioner recommended to his Mātie.

PETITION James Currie late proveſt of Edinburgh for perſonall protection read and the queſtion being stated Grant perſonall protection till the nixt Seſsion of Parliament upon the Specialities repreſented in his petition or not it Carried in the affirmative.

THE Committies appointed to meet to morrow at eight of the cloak.

THEN the Lord Chancellor by order of His Māties High Commiſsioner adjourned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Friday the 9th of October 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Draught of the Act Ratifieing the proclamation of Counſell anent the pole, read the second tyme voted and approven.

THE Draught of the Act againſt prophanenes read the second tyme, and after some amendments voted and approven.

DRAUGHT of the Act for alimenting of poor priſoners in Burghs Royall read the second tyme, and after some amendments voted & approven.

DRAUGHT of the Act in favours of the burghs of Regalitie & barronie read and laid aſyde.

DRAUGHT of the Act that the old fourteins and ther fractions paſs by weight at the value of three pound four ſhilling the ounce read the second tyme, and ordered to be brought in the nixt dyet of Parliament.

THE Draught of the Act againſt killing of Smolts and the fry of Salmond read the second tyme and after ſome amendments voted and approven.

THE Draught of the Act appoynting all proclamationes and legall executions within the Stewartrie of Monteith to be publiſhed and execut at the mercat Croſs of Down in place of the top of Latta read the second tyme voted and approven.

THE Draught of the Act againſt Duells read the second tyme voted and approven.

ACT explanatory of the Act 1695, Intituled Act for obviating the fraud of appeirand aires, Act anent the priviledges of burghs royall & of barronie anent the Curing of Salmond, Act in favours of preachers at vacant Churches benorth forth, Act in favors of Univerſities Schools and Hoſpitalls, Act alloweing Securities &c. to be written book wayes, Act declairing the toun of Greenlaw head burgh of the Shyre of Berwick, Act for ſecuritie of the Kingdom, Act anent the regiſtration of Seaſings, Act for regiſtrating of Summonds for interrupting preſcription, Act anent vitious intromettors, Act anent aliments, Act anent expenſes in calumnious Suſpenſions, Act for the levie of a thouſand men, Act for the better payment of Creditors of forfaulted eſtates, Act anent blank bonds & other wryts, Act for ſetleing of Schools, Act for a Suggar Manufactorie in Glaſgow, Act approveing the proclamation of Counſell for encouradging the Import of victuall, Act anent proteſtant Servants in popiſh families, Act for better provyding of the poor, Act ratifieing the proclamation of the Counſell anent the Pole, Act againſt prophainnes, Act anent the alimenting of poor priſoners all touched with the Scepter by his Mäties high Commiſsioner in the uſuall manner.

DRAUGHT of ane Act in favours of Sr John Schaw of Greenock the Laird of Glenegies and others for makeing of Salt after a new faſhion read, and after ſome debate It was put to the vote Proceed or Delay and carried Proceed.

REPRESENTATION by the Salt Maſters againſt the said Act read and after ſome debate it being put to the vote Approve the Act or not It carried Approve.

ACT in favours of the Salt Maſters for makeing Salt upon Salt read the firſt tyme and ordered to lye on the table.

DRAUGHT of ane Act in favours of Mr Wm Erſkin for makeing Salt upon Salt read the firſt tyme and ordered to lye on the table.

DRAUGHT of ane Act for regiſtrating of Bonds Diſpoſitions &c. after the granters death read the firſt tyme & ordered to lye on the table.

DRAUGHT of ane Act ordaining the ſame execution to paſs vpon inland bills or precepts as is competent upon forraigne bills of exchange read the firſt tyme and ordered to lye on the table.

DRAUGHT of ane Act againſt adultery read the firſt tyme and ordered to lye on the table.

DRAUGHT of ane Act anent Divorce for non adherence read the firſt tyme & ordered to lye on the table.

DRAUGHT of ane Act for encouradgeing the woolen Manufactorie of Newmilns read the firſt tyme and ordered to lye on the table.

PETITION the heretors adjacent to the pow of Inchafray Craveing the Parliament would grant Commiſsion to the perſons therein contained for Ditching Draining & Divyding of the ſaid pow read & granted.

REPORT from the Committee for Securitie in favours of Mr Archibald Sinclair Judge Admirall recommending him to his Mätie for a competent ſallary out of the tunnage impoſed the laſt Seſsion of Parliament in favours of Captain John Slezer and John Adair geographer read voted and approven.

THE Committees appoynted to meet to morrow at eight a cloak.

THEN the Lord Chancellor by order of His Mäties high Commiſsioner adjurned the Parliament till to morrow at ten of the cloak in the forenoon.

POLWARTH Concellar.
I P D. Parl.

Saturday 10 October 1696.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

PETITION Sir David Thörs of Inverkeithing Craveing that he may be allowed to qualifie himſelfe to the effect he may be reſtored to the exerciſe of his Imployment as ane advocat and the deſyre therof granted he qualifieing himſelfe befor Sir Colin Campbell of Aberuchill & Sir James Scougall of Whythill.

THE Draught of the Act anent the old fourteen ſhilling peices and ther halfes read the ſecond tyme and after ſome amendments voted & approven.

THE Draught of the Act for ſheilling and prepairing of barley read & after ſome amendments voted & approven.

THE Draught of the Act against mixing Salt in Aile and Beir read the ſecond tyme & after ſome debate it being put to the vote Approve the Act or Alter it carried Approve.

THE Draught of the Act against clipping and falſe coining read the ſecond tyme voted & approven.

THE Draught of the Act for freeing the perſons of minors within pupilaritie from Caption & other perſonall execution for debt & other civill cauſes read the second tyme voted & approven.

THE Draught of the Act for regiſtrating Bonds Diſpoſitions &c. after the granters death read the ſecond tyme voted & approven.

THE Draught of the Act for bringing in water to burghs or any other place within the Kingdom read the ſecond tyme and after ſome amendments voted & approven.

THE Draught of the Act againſt the Importation of Iriſh Cattell Iriſh Horſe & Iriſh Salt Beefe read the second tyme & the furder Conſideration therof delayed.

DRAUGHT of the Act in favours of forraigne ships which export Coall read the firſt tyme & ordered to ly on the table.

DRAUGHT of the Act for makeing Salt upon Salt read the ſecond tyme & after ſome amendments voted & approven.

DRAUGHT of the Act for prorogating the Commiſsion of Juſticiarie for the Highlands read the second tyme & after ſome amendments voted & approven.

THE Draught of the Act regulating the way and manner of meaſuring of Malt read voted & approven.

DRAUGHT of the Act in favours of Mr William Erſkin for makeing Salt upon Salt read a ſecond tyme & after ſome amendments voted and approven.

THE Draught of the Act that all execution paſs upon inland Bills and Precepts as upon foraigne Bills read the ſecond tyme voted & approven.

PETITION the Laird of Mortounhall & others againſt Sir James Dicke of Preiſtfeild and anſwers be the ſaid Sir James to the petition read & after ſome debate it was put to the vote Determine in plain Parliament or Remit to the Seſsion to Conſider the Import of the proteſtation with a parliamentary power & carried Remit to the Seſsion in the terms forſaid.

PETITION the Earle and Countes dowager of Seaforth againſt Sir John Dempſter of Pitliver read.

THE Committies appointed to meet upon Munday nixt at nyne a cloak in the forenoon.

THEN the Lord Chancellor by order of his Mäties high Commiſsioner adjürned the Parliament till Munday nixt at ten of the cloak in the forenoon.

POLWARTH Cancellar.
I P D. Parl.

Munday the 12 October 1696.

PRAYERS ſaid Rolls called.

MINUTES of the laſt Sederunt read.

RATIFICATIONE in favours of Lodowick Grant of that Ilk and ſeverall other Ratificationes in favours of other perſones of ther rights and priviledges and Protestationes entered againſt ſome of them.

SOME faires and weekly mercats granted in favours of severall heretors read.

REPORT of the Sub-Committee appointed for takeing in the accompts of expences Deburſed by James Baine his Mäties laite maſter wright upon the publict buildings of the Kingdome read, and the ſaid James Baine recommended to his Majeſtie and in the mean tyme to the Lords of Theasaurie for a fond of Subſiſtance out of the vacand Stipends or any otherwayes ther Lordſhips ſhall think fit.

PETITION Duncan Buchanan wright Craveing a personall protection read, and it being put to the vote If protection ſhould be granted to him untill the precept granted by his Mätie for his expences upon the publict work of the Kingdome be ſatiffyed or not, it Carried for the affirmative untill the ſaid precept ſhould be answered.

PETITION Levetennent Colonell Scipio Hill Craveing payment of ſome arrears resting to him read and the petitioner remitted to the Commiſsion of Pole to the effect they may Conſidder whether he falls under the termes of the Act of Parliament appointing arrears to be payed out of the hearth money and three months Ceſs, and if it be found that he is not in the terms of the ſaid Act of Parliament Recommends the petitioner to his Mätie for ſatiffaction therof.

PETITION be the Magiſtrats and Toun Councill of Lanerk Craveing a recommendatione to the Lords of Theſaury for some vacand Stipends for the Compleating a bridge over the water of Clyde already begun by the ſaid Toun read and granted.

PETITION Mr Wm Cheiſly wryter to the Signet againſt Sr Wm Paterſone of Grantoun Craveing that the Cauſe at the petitioners inſtance againſt the ſaid Sr William may be remitted to the Lords of Secret Councill read and Sr William ordained to ſee and anſwer againſt the nixt Seſsion of Parliament.

ANSWERS by Sir John Dempſter of Pitliver to the Earle and Counteſs Dowager of Seaforth ther petition read.

THEN the Earle of Seaforth and Pitlivers procurators Called and heard upon the Decreet Craved to be suspended and reduced by the Earle and the Counteſs and after some Debeat It was put to the vote Adheare to Pitlivers Decreet Charged upon or not as to the fyve Thouſand merkes excepted from the warrandice and carried Adheare Theraſter it was put to the queſtion Siſt executione as to the other three Thouſand merkes charged for or not and Carried in the negative And the haill soumes Charged for ordained to be conſigned in the Clerkes hands untill the arreaſtments laid on by Pitlivers Creditors ſhould be purged.

PETITION the Lady Harwood Craveing the Parliament may modify to her the third pairt of her huſbands free fortune for her aliment he haveing dyed befor he was infeft and she provydit in a competent Joynture read and refuſed.

PETITION Elizabeth Spence ſpouſe to Androw Martine read and laid asyde.

ACT in favours of forraigne ships which export Coall furth of this Kingdome read the second tyme and remitted to the Lords of his Mäties Privy Councill to Jeſsen the Impoſition upon the ſaid forraigne ships to eight pence per tun as they ſhall find juſt.

ACT for building a bridge over the water of Evan, Act againſt the Deſtroying of black fiſh and Salmond fry, Act appoynting proclamationes and other executiones within the Stewartry of Monteith to be publiſhed and execute at the mercat Croſs of Dqune in place of Topalata, Act against Duells, Act anent makeing of Salt after a new manner, Act for makeing Salt upon Salt, Act in favours of Mr William Erſkine for makeing Salt upon Salt, Act anent inland Bills and Precepts, Act anent the meaſureing of Malt, Act anent the old fourteen shilling peeces and ther halfes, Act anent the regiſtratione of wryts after the granters deceaſs, Act for the better prepaireing of Barley, Act prorogateing the Commiſsion of the Justiciary for the Highlands, Act for bringing water into brughs and other places needfull, Act declaireing minors free from personall executiones for civill Cauſes dureing ther pupillarity, Act againſt falſe Clipping and Coyneing of Money, Act Diſchargeing the makeing uſe of Salt in brewing of Ale or Bear all Touched with the Scepter by his Mäties high Commiſsioner in the usuall maner.

ACT Salvo Jure Cujuslibet read voted and approven.

THE Macers and houſe keepers recommended to the Theaſaury for ther extraordinary attendance this Seſsion of Parliament.

ACT Salvo Touched with the Scepter.

THEN the Lord Chancellor by ordour of his Mäties high Commiſsioner adjourned the Parliament to meet at Edr the Eight day of December nixt.

POLWARTH Cancellar.
I P D. Parl.

MINUTES OF THE PARLIAMENT OF KING WILLIAM, HOLDEN AT EDINBURGH JULY XIX, M.DC.XCVIII.

Tueſday 19 July 1698.

PRAYERS ſaid

THE Kings Commiſsion to Patrick Earle of Marchmonth to be his Mäties high Commiſsioner to this Seſsion of Parliament read.

A LETTER from the King to his Mäties high Commiſsioner Appointing the Viſcount of Seafeild his Mäties principall Secretary of State to be preſident to this Seſsion of Parliament read.

A LETTER from his Mätie to my Lord Commiſsioner Appointing the Lord Pollwarth to ſit and vote in this Seſsion of Parliament as Lord high Theſaurer read.

WHEREUPON they both took the oath of alledgiance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament and took their places accordingly.

THE Rolls called.

THE Earle of Sutherland proteſted for the precedency to all the Earles ranked befor him in the rolls of Parliament.

THE Earle of Marr proteſted for the precedency to all the Earles ranked befor him in the rolls of Parliament.

THE Earle of Lothian proteſted againſt the calling of the Earle of Roxburgh and others befor him.

THE Earle of Findlator proteſted againſt the calling of the Earle of Airley befor him.

THE Earle of Leven proteſted againſt the calling of the Earle of Calendar befor him.

PATENT creating John Lord Murray Earle of Tullibardine Patent creating Lord John Hamilton Earle of Ruglen Patent creating Sir Thomas Livingſtoun Viſcount of Teviot Act of his Mäties Privy Councill in favors of the ſaid Viſcount of Teviot Declaring his precedency conform to his firſt Patent all read and ordered to be recorded.

PATENT creating Sir James Ogilvie principall Secretary of State Viſcount of Seafeild read and ordered to be recorded.

THE Marques of Tueeddale The Earles of Crawfurd Marſchell Northeſk Tullibardine and Ruglen The Viſcount of Teviot and Lord Elibank took the oath of alledgiance and ſubſcrived the ſame with the aſsurance and aſsociation.

Mr James Carnagie of Phinhaven Robert Reid of Baldovie James Scott younger of Logie Commiſsioners for the ſhyre of Forfar & Alexr Dunbar of Weſtfeild for the ſhyre of Elgine took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation.

Mr Francis Naper Commiſsioner for the Toun of Stirling Sir Patrick Aikenhead for Dumfermling Mr David Dalrymple for Culroſs Mr John Lyon for Forfar Mr William Johnſtoun for Annan Mr Robert Stewart for Dinguall and Sir Alexr Hume for Kirkwall took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation And all the forſaid perſons took the oath of Parliament.

THE Kings moſt gracious Letter to the Parliament preſented by his Mäties Commiſsioner read.

THEN his Mäties high Commiſsioner and the Lord Preſident made their ſpeeches to the Parliament.

A MOTION being made for printing the Kings Letter with his Grace the Commiſsioners Speech and the Lord Preſidents ſpeech The ſame was ordered accordingly.

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[THE Speech of Patrick Earl of Marchmount, &c. His Majeſties High Commiſſioner to the Parliament of Scotland, on Tuesday the nineteenth of July 1698.

My Lords and Gentlemen,

AS His Majeſties gracious Letter to you now read in your hearing, carries very plain and full Expreſſions of His Eſteem, and Acceptance of the many Proofs you have given of your Loyalty and good Affection to His Person and Government. So His calling you together at this time when the Condition of Affairs is ſo much changed, tho' He cannot be preſent with you, is a clear evidence of the entire Truſt and Confidence He has in you.

His Majeſty did intend to have held this Seſſion of Parliament in Perſon, but the preſent Circumſtances of Affairs having hindred His coming; It has pleaſed Him to appoint me to be His Commiſſioner in it. And I will earneſtly endeavour to manifeſt that Fidelity and Zeal for His Majeſties Service, and the good of this Kingdom, which His Majeſty doth expect: and I confidently hope, that your Wiſdom and Abilities will not only bear with, but alſo ſuſtain me under the weakneſses which I may juſtly acknowledge: So as the publick Intereſt may thereby be at no prejudice.

His Majeſty has graciouſly given you full Aſſurance, that He is firmly reſolved to make it his principal Care to maintain your Religion, Laws and Liberties, and Presbyterian Government in this Church; And I am commanded to let you know, that He is fully reſolved to continue the ſame: And as His Majeſty has told you, that He will give all due encouragement for promoting your Trade: So I am commanded in His Name to aſſure you, that His Majeſty is firmly reſolved to maintain the Privileges of the Trade of this Kingdom, and particularly theſe eſtabliſhed by Treaties, Laws or Cuſtoms with other Nations.

I am both fully inſtructed in what His Majeſty judgeth to be neceſſary for the ſupport of His Government, and the Safety of this Kingdom; and have full power for paſſing ſuch Laws for the good of His People, as appear to be moſt needfull at preſent.

It is not to be doubted, but that as His Majeſty thinks, that the fulleſt Information he could have what Laws are fit to be made, would be His hearing Free-reaſonings in Parliament upon them by you who are ſo much intereſted, and have your Minds ſo much taken up about them; So you will think, that His Majeſty is beſt capable to Diſcover and Diſcerne upon the whole Matter, in the Bulk and Sum, what is fit and neceſſary to be done at this Time for the common Intereſt, as having a clearer View of the bad Deſigns of our Enemies, and of the many Peices joyned together in that wiſe Contrivance, which (by the bleſſing of God) hâs been the ſupport of Affairs, than we can have.

You may very juſtly be perſwaded, that His Majeſties Judgement of theſe Matters, is ſolidly founded, and much to be relyed on; Not only becauſe he is highly concerned, both upon account of Honour and Intereſt, but likewiſe, becauſe he is a Prince of deep Underſtanding and perpetual Application to Buſineſs: And has turned up all the Sides of theſe Grounds of Judgement which he ſees in a truer Light, and at a nearer Diſtance than we do.

I am commanded to repreſent to you, that the continuing the Troops upon the preſent eſtabliſhment, is, what His Majeſty judgeth to be abſolutely neceſſary, for the Support of His Government, the Safety of the Countrey, and your Preſervation; And that His Majeſty is no ways doubtfull, but you will be convinced of it, and will provide ſuteable Supplies for mentaining them: And it's certainly moſt fit, that this be the firſt thing you take under your Conſideration, as what concerns the All: And then you can proceed to other things recommended to you by His Majeſty, or which may be propoſed.

My Lords and Gentlemen,

Tho I am unwilling to take up much of your time, and to detain you from your Buſineſs, yet I cannot omit to invite you, to conſider ſeriouſly one thing which I am perſwaded cannot eaſily eſcape the particular notice of any here, that is, in what your gracious and kind Soveraign places the chief Satisfaction he has in bringing the great and dangerous War, wherein he has been ingadged to an End by an honorable Peace: Even the Proſpect he has of the Proſperity and Happineſs of His good Subjects.

His Majeſty undertook an enterpriſe almoſt deſperate in the Opinion of all Europe, he has followed it out and maintained it with imparralelled Courâge and Conſtancy; He has expoſed his precious Life and Perſon in paſſing the Seas many times, in faceing and fighting his Enemies in many Battles: The ſecret Conſpiracies againſt Him have been many, yet (thanks to the Eternal God) he has been wonderfully ſupported and preſerved, and certainly His Majeſty has a very gratefull Senſe of, and a great Satisfaction in it. But His greateſt Satisfaction is the Proſpect which he has of the Proſperity and Happineſs of his good Subjects; This cannot be too often repeated, and is never to be forgot: Nay I am ſure it leaves ſuch an Impreſſion upon your worthy Spirits and Minds as is becoming for theſe, at whoſe inſtance and for whoſe behove ſo great things have been undertaken and performed, and I am als ſure there is no Scots man (that has a good affection to His Majeſty, and to the happy Revolution, and the Work of God amongſt us, and a good underſtanding to diſcern what is neceſſary upon this Occaſion, which I hope all here have,) but who will honeſtly, cheerfully and readily give ſuch proofs of Gratitude to, and truſt in His Majeſty, as ſhall more and more endear to him this his Antient Kingdom, and honeſt hearted People.]

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[THE Speech of James Viſcount of Seafield, Principal Secretary of State, and Preſident to the Parliament of Scotland, on Tueſday the nineteenth of July 1698.

My Lords and Gentlemen,

YOU have given many Evidences of your great Zeal, Duty and Affection to His Majeſties Royal Perſon and Government, and His Majeſty has intire Truſt and Confidence in you, as is fully expreſt in his moſt gracious Letter, and by my Lord Commiſſioner His Grace in His Name.

His Majeſty is very ſenſible that you did cheerfully provide ſuitable Supplies for maintaining thoſe Troops that were thought needful for your Defence at Home, whereby you ſecured Peace and Quiet within this Kingdom during the War.

You alſo Raiſed and Recruited the Regiments of this Kingdom, that were imployed in His Majeſties Service Abroad, for the Support and Defence of the Common Intereſt of Europe, as well as the Security of His Majeſties Dominions.

The vigorous Proſecution of the War, and the Bleſſing of God Almighty upon His Majeſties Endeavours, has procured us an Honourable Peace; And therefore His Majeſty has upon this Occaſion called you together, that you may provide for your own Safety and better Eſtabliſhment.

You will eaſily be convinced, that we have many Enemies both at Home and Abroad, ready to lay hold of any Opportunity to diſturb our preſent Peace and Tranquillity.

The King knows our Circumſtances and Dangers better than we do our ſelves, and is certainly the beſt Judge of what is needful, and he has told you plainly, that the Troops which He has Eſtabliſhed, are indiſpenſibly neceſſary for your Preſervation.

His Majeſty does therefore expect, that you will proceed in this Matter with Cheerfulneſs and Unanimity, to the Diſcouragement of His and your Enemies; and as the Subſidies that are demanded of you, are to be imployed for your own Safety, ſo they will again circulat amongſt you, and cannot diminiſh the wealth, nor prejudge the Intereſt of the Nation.

His Majeſty has alwiſe judged his Intereſt to be inſeperable from yours; He has been the powerfull Inſtrument of God Almighty in reſcueing you from Popery and Arbitrary Government: He has expoſed His Royal Perſon to the greateſt Dangers for the common Safety, and all that have the Occaſion to know his Meaſures muſt be convinced, that the Happineſs and Proſperity of his Subjects is His chief care and concern.

In His Reign you have the full enjoyment of your Religion, Laws and Liberties, you have alſo Presbyterian Government eſtabliſhed in this Church which His Majeſty has declared he will maintain, and you have many good Laws and Conſtitutions granted for the Eaſe and Satisfaction of the Nation.

Seing then, that by him you enjoy all theſe and many other Bleſsings, you will certainly judge it your intereſt and Duty to comply with what is now only propoſed as neceſſary to render you Secure, againſt the Deſigns of His and your Enemies.

His Majeſty was reſolved to have been preſent with you in this Seſsion of Parliament, that he might have more perfectly underſtood what Laws were fit for the welfare and Satisfaction of his Subjects; But the great Affairs in which he is neceſſarly ingadged, not allowing us that happineſs, he has fully inſtructed my Lord Commiſsioner his Grace, to paſs ſuch Acts as appear to His Majeſty moſt proper for the Benefit and intereſt of this Kingdom; And He has given full Aſſurances, that he will give all Encouragement for promoting Trade, and particularly, that he will protect the Priviledges of the Trade of this Kingdom eſtabliſhed by Laws, Treaties, and Cuſtoms with other Nations.

My Lords and Gentlemen,

I am very ſenſible of my own unfitneſs for the Station in which it has pleaſed his Majeſty to imploy me; But your ready Complyance with what has been propoſed by his Majeſtie on other Occaſions, did chiefly encourage me to accept, and to hope for an happy Concluſion to this Seſsion: To the Satisfaction of the King, the Honour of the Government, and the Security of the Nation.]

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THE Orders of the Houſe read and appointed to be printed and affixed on the uſuall places.

THE Director of the Chancelary and his deput the Clerks of Exchequer and the Keeper of the Great Seall and under Keeper of the Privy Seall allowed to be preſent in the meetings of Parliament and that this be added to the orders of the houſe.

HIS Grace my Lord Commiſsioner Ordered his Mãties Advocat & Juſtice Clerk to reviſe the Minuts of this Seſsion of Parliament.

THE Earle of Selkirk excuſed by his Grace his Mãties high Commiſsioner in reſpect of his neceſsary abſence in attending his Mãties perſone.

COMMISSION the ſaid Earle of Selkirk Lord Regiſter to Mr Alexander Gibſon one of his deput Clerks of Parliament to preſent ſigne and officiat for him during his abſence this Seſsion of Parliament preſented read and ordered to be recorded.

THE Lord Preſident by Order of his Mãties high Commiſsioner adjourned the Parliament till Thurſday at ten a clock.

SEAFIELD I. P. D. P.

Thurſday 21 July 1698.

PRAYERS ſaid Rolls called.

Sir Thomas Kilpatrick of Cloſsburn Sir James Johnſtoun of Weſteraw and William Colquhoun of Craigtoun excuſed by his Grace his Mãties high Commiſsioner in reſpect of their indiſpoſition As alſo Robert Craig of Riccartoun excuſed as neceſsarly abſent out of the Kingdom.

PATENT creating Lord William Douglas Earle of March, read, and ordered to be recorded.

THE ſaid Earle of March and the Lord Burleigh took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation.

Sir Robert Monro of Foulis Commiſsioner for the Shyre of Roſs took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation.

Sir Robert Stewart Commiſsioner for the burgh of Northbervick took the oath of alledgiance and ſubſcryved the ſame with the aſsurance & aſsociation. And all the forſaids perſons took the oath of Parliament.

MINUTS of the laſt Sederunt read.

A MOTION being made for a licence to the Commiſſars of Edinburgh and to all inferior Judicatories to ſit till the Tuenty day of Auguſt inclufive The ſame was granted accordingly.

A MOTION being made for a warrand to elect a Commiſsioner for the Shyre of Roxburgh in place of Sr William Douglas of Cavers deceaſt The ſame was granted accordingly And the Shirreff ordered to conveen the freeholders on Tueſday the ſecond day of Auguſt to proceed in the ſaid Election.

A MOTION being made for a warrand to Elect a Commiſsioner for the ſhyre of Perth in place of the Laird of Balhouſsie created Viſcount of Duplin The ſame was granted And the ſhirreff ordered to Conveen the freeholders of that ſhyre on Tueſday the ſecond of Auguſt nixt for that effect.

ORDERED that the ſeverall Eſtates of Parliament Separat and Proceed to Elect the Committies following viz. The Committie for the Security of the Kingdom to conſiſt of nyne of every State The Committie for Trade to conſiſt of ſevin of every State The Committie for contraverted Elections to conſiſt of fyve of every State And the Committie for returning ane anſuer to the Kings moſt gracious Letter to conſiſt of one of every State.

WHERUPON the Thrie Eſtates having ſeparat to their uſuall places they Returned to the houſe and Reported their ſeveral Elections And they are as followes.

FOR the Security of the Kingdom, Of the State of the Nobility The Earle of Melvill Lord Preſident of the Councell, The Earles of Argyle, Marſchell, Mar, Lothian, Loudoun, Leven & Anandale, and the Lord Carmichael. Of the Commiſsioners for ſhyres Sr Robert Sinclare of Stevinſtoun Sir John Hume of Blackader Mr Francis Montgomrie of Giffen The Laird of Rowallan The Laird of Kelburn Sir John Maxwell of Pollock The Laird of Meggins Mr James Elphingſtoun of Logie The Laird of Cullodden. Of the Commiſsioners for Burghs Sir Robert Cheiſly Sir Archbald Mure Mr James Smollet Sir John Hamilton Sir James Scougall William Menzies Sir Hugh Dalrymple Mr Robert Stewart & Sir William Hamilton.

FOR Trade Of the Nobility The Earles of Crawfurd, Erroll Eglintoun Northeſk and March The Viſcount of Tarbett & Lord Ruthven Of the Commiſsioners for Shyres Sir John Suinton of that Ilk Sir Francis Scott of Thirleſtaine Sir William Denholm of Weſtſheills The Laird of Stoniewood James Scott yor of Logie The Laird of Bracco Sir Adam Gordon of Dalfolly Of Commiſsioners for Burghs James Fletcher John Anderſone for Glaſgow John Mure for Ayre John Boſwall Robert Johnſtoun Mr Alexander Cunyngham and Hugh Broun.

FOR Contraverted Elections Of the Nobility The Earles of Argyle Findlator and Carnwath and the Lords Jedburgh & Bellenden. Of the Commiſsioners for ſhyres Sir John Forbes of Craigievar Sir Colin Campbell of Ardkinglas Sir John Dempſter of Pitliver The Laird of Baldovie The Laird of Weſtfield And of the Commiſsioners for Burghs Mr John Murray Mr David Dalrymple Mr William Johnſtoun Mr Robert Forbes & Sir Alexander Hume.

AND for Anſuering the Kings Letter Of the Nobility The Earle of Lothian Of the Commiſsioners for ſhyres Sir John Maxwell and of the Commiſsioners for Burghs Sir Hugh Dalrymple

THE Committies Appointed to meet to morrow at nyne of the clock in the uſuall places.

THEN the Lord Preſident by order of his Mãties high Commiſsioner Adjourned the Parliament till Saturday nixt at ten a clock in the forenoon.

SEAFIELD I. P. D. P.

Saturday 23 July 1698.

PRAYERS said Rolls called.

THE Earle of Buchan & George Baillie of Jervefwood Commiſsioner for the ſhyre of Bervick Excuſed by his Grace his Mãties high Commiſsioner as being neceſsarly abſent out of the Kingdom.

THE Lord Duffus, The Lord Kinnaird and David Maitland Commiſsioner for the burgh of Lauder Excuſed in reſpect of their indiſpoſition.

PATENT Creating Patrick Lord Polwarth his Mäties high Commiſsioner Earle of Marchmont read and ordered to be recorded.

PATENT Creating Thomas Hay of Balhouſsie Viſcount of Dupplin read and ordered to be recorded. Wherupon the ſaid Viſcount of Dupplin took the oath of allegiance and ſubſcryved the ſame with the aſsurance & aſsociation and took the oath of Parliament.

MINUTS of the last Sederunt read.

QUESTION Moved Whether the Commiſsioners of Shyres & Burghs who were abſent laſt Seſsion of Parliament and had not then or ſince in the termes of the order ſubſcryved the aſsociation bot in whoſe place no new Commiſsioners were choſen & returned ſhould yet be allowed to ſubſcryve And after ſome debate the Queſtion being put Allow or not It was Carried in the affirmative.

WHERUPON Major Hugh Bontein of Kilbryde Commiſsioner for the ſhyre of Air Mr William Stewart of Ambriſmore Commiſsioner for the ſhyre of Bute Sir John Forbes of Cragievar & Samuell Forbes of Foverane Commiſsioners for the ſhyre of Aberdeen as alſo John Boſwell Commiſsioner for the burgh of Kirkcaldie John Cuthbert Commiſsioner for the burgh of Invernes Patrick Wallace Commiſsioner for the burgh of Kinghorn & William Roſs Commiſsioner for the burgh of Tayne ſubſcryved the aſsociation.

THE Earles of Erroll Sutherland Findlator & Annandale & the Viſcount of Tarbett who had not formerly ſubſcryved the aſsociation did now ſubſcryve it.

OBJECTION moved againſt Patrick Steven Commiſsioner for the burgh of Aberbrothock that he could not now be allowed to ſubſcryve the aſsociation in reſpect he had been preſent the laſt Seſsion of Parliament and abſented from the ſubſcryveing And the Conſideration thereof remitted to the Committie for contraverted Elections.

OVERTURE brought in from the Committie for Security of the Kingdom that it was neceſsary for the ſupport of the Government and ſafety of the Kingdom that the number of the forces upon the preſent eſtabliſhment ſhould be continued read.

AND the eſtabliſhment of the forces with ane abbreviat of the number of the forces and of their pay being alſo read And the matter fully debated the vote was put in theſe termes Whether the number of the forces upon the preſent Eſtabliſhment ſhould be continued or reſtricted And it was carried Continued.

REMITTED to the Committee for ſecurity of the Kingdom to conſider on the tyme that the ſaid number of forces were to be continued and on the ſonds for maintaining thereof and to report.

PETITION from the African Company preſented and agreed to be read the next Sederunt of Parliament.

THE Committies Appointed to meet on Munday at ten of the clock in the uſuall places.

THE Lord Preſident by order of his Mäties high Commiſsioner Adjourned the Parliament till Wedenſday next at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Wedneſday 27 July 1698.

PRAYERS ſaid Rolls called.

THE Earle of Aboyne compearing and offering to take his place in Parliament It was objected that he had been bred & was a profeſsed papiſt and ought not to be allowed to ſit in Parliament till ſatisfaction were given that he had relinquiſhed the popiſh Errors and imbraced the true proteſtant religion But the Earle declaring openly in Parliament that he had embraced the true proteſtant religion and ouned the Confeſsion of faith of this Church as agreeable to the word of God and that he had joyned himſelf to the proteſtant Church of this Kingdom by Communicating therwith in worſhip and ordinances & being confirmed by the Preſident of the Parliament who atteſted that he had ſeen ſo much under his Lordſhips hand And ſeverall members of Parliament Declareing lykewayes their certane Knowledge of the premiſes the Earle was allowed to Qualifie himſelf by takeing the oath of alledgiance & ſubſcryveing the ſame with the aſsureance and aſsociation and takeing the oath of Parliament and took his place accordingly.

THE Earle of Ruglen The Lord Lindoirs, Sir Thomas Burnet of Leyes Commiſsioner for the ſhyre of Kincardine and the Laird of Brody Commiſsioner for the ſhyre of Elgine Excuſed by his Grace his Mäties high Commiſsioner in reſpect of their neceſsary abſence.

Sir Duncan Campbell of Auchinbreck Commiſsioner for the ſhyre of Argyle and Mr Kenneth McKenzie of Cromarty Commiſsioner for the ſhyre of Cromarty being abſent laſt Seſsion of Parliament and not having ſubſcryved the aſsociation did now ſubſcryve it.

MINUTS of the laſt Sederunt read.

REPORT from the Committee for ſecurity of the Kingdom that ſonds be given for maintainance of the number of the forces upon the preſent eſtabliſhment for two years viz. from Martimaſs Im vjc nyntie eight to Martimaſs One thouſand & ſeven hundred read.

AND upon the debate in the houſe ane Overture was made. Then the queſtion being ſtated if the vote ſhould be Approve of the report of the Committie or not or Approve of the Overture or not It carried Approve of the report of the Committee or not. Then the vote being put Approve of the report of the Committee or not It carried Approve.

THE ſeverall Overtures Reported from the Committie for ſecurity for ſonds neceſsar for maintaining the forces and ſome other Overtures being made in plain Parliament After ſome debate the furder conſideration thereof was remitted to the Committie for ſecurity of the Kingdom.

PETITION from the African Company with the memorial therin mentioned read and ordained to be again read & conſidered the firſt Sederunt of the Parliament next week.

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[TO His Grace His Majeſties High Commiſſioner, and the Right Honourable the Eſtates of Parliament. The humble Petition of the Council-General of the Company of Scotland Trading to Africa and the Indies.

Sheweth,

THAT whereas the Wiſdom of the King, and this preſent Parliament, has thought fit by two ſolemn ſeveral Acts, and Letters patent under the Great-Seal of this Kingdom, to eſtabliſh our Company with ſuch Powers, Priviledges and Immunities, as were thought needful to encourage any ſuch new Undertaking in this Nation; And particularly to raiſe a Joynt-Stock in ſuch manner as we ſhould think fit. And for that end to enfranchiſe ſuch

Forraigners as would become Partners with us, & to enter into Treaties of Commerce with any in Amity with His Majeſtie for that effect, &c. Thoſe of our Number who were then intruſted with the Management thereof did think it moſt natural to make the firſt Offer of ſharing our ſaid Priviledges with our Countrey-Men, and other Neighbours in England, as living under the ſame Monarchy: And they not only readily embraced the Offer, but in nine Days time ſubſcribed 300000 lib. Sterling, as the one half of the Capital-Stock then propoſed, & actually payed in the firſt-fourth Part thereof, part in Specie, part in Bank-Notes, and the reſt in Notes payable upon demand.

That both Houſes of the Parliament of England taking Umbrage at thoſe Proceedings, did not only joyntly Addreſs His Majeſty for fruſtrating the ends of the ſaid Act, but the Houſe of Commons did alſo appoint a Committee to Examine what Methods were taken for obtaining the ſaid Act of Parliament here, for eſtabliſhing our Company, who were the Subſcribers thereto, and who were the Promoters and Adviſers thereof, with power to ſend for Perſons, Papers and Records; purſuant to which, the ſaid Committee gave Orders to Summon not only the Engliſh Subſcribers, but even ſome Perſons then Reſiding in Scotland, as by the ſaid Addreſs, Votes of the Houſe of Commons, and Copy of the ſaid Summons may appear; By all which, together with ſome other meaſures then taken, our Friends in England were, to our great loſs, diſappointment, and retardment, forced to relinquiſh, &c.

That notwithſtanding of that diſcouragement, not only moſt of the Nobility, Gentry, Merchants, and whole Body of the Royal Burrows, have upon the Inducement, and Publick Faith of the ſaid Acts of Parliament, and Letters Patent, Contributed as Adventurers, in raiſing a far more conſiderable Joynt Stock, than any was ever before raiſed in this Kingdom for any Publick Undertaking, or Project of Trade whatſoever, (which makes it now of ſo much the more Univerſal a Concern to the Nation) but we have alſo had all the Promiſing Hopes of Forreign Aid, that our Hearts could wiſh, eſpecially at Hamburgh, where the Merchants of that City entred into Contract with our Deputees, to joyn at leaſt 200000 lib. Sterling with us, till, to our great Surpriſe and Loſs, the Engliſh Miniſters there, did, under Pretence of Special Warrant from His Majeſty, put a Stop thereto, by giving in a Memorial to the Senate of that City, Threatning both Senate and Inhabitants, with the King's outmoſt Diſpleaſure, if they ſhould Countenance, or Joyn with us in any Treaty of Trade, or Commerce, as by the annexed Copies thereof, in French and Engliſh, may appear, which Memorial, we humbly pray, may, for the better Information of Your Grace, and Right Honourable Eſtates, be alſo Read in Parliament.

That after the ſaid Memorial was by the Senate tranſmitted to the Commercij or Body of Merchants of that City, they to aſſert their own Freedom, did adviſe and prevail upon our Deputees and Agents who were there for the time, to open Books in the ſaid Merchant's Hall, where for ſome Days they ſigned conſiderable Sums purſuant to their ſaid Contract, tho' under Condition to be void, if we ſhould not procure ſome Declaration from the King that might render them ſecure from the Threatnings and other Inſinuations contained in the ſaid Memorial: And to our great diſappointment, thus the Caſe ſtands in Suſpenſe between them and us to this Day.

That as the reaſonable (nay and unqueſtionable) Proſpect which we had of a powerfull Aſſiſtance from Hamburgh and ſeverall other Places (if not obſtructed as aforeſaid) induced us to propoſe a far greater Equipage at firſt than otherwiſe we would have done; So the rendring of thoſe Meaſures abortive, has not only weaken'd our Stock, leſſened our Credit, retarded our firſt Expedition, and diſheartned many of our Partners at Home, but even alſo ſhackled our Reſolutions and power from proſecuting at preſent ſeverall other Branches of Forreign and Domeſtick Trades and Improvements which we had in View, if we had not met with ſuch Obſtructions and Diſcouragements from Time to Time.

That tho' our Company is more immediately and ſenſibly touched in many Reſpects by ſuch Proceedings, than any other; Yet we humbly conceiving alſo, that the Honour and Independency of the Nation, as well as the Authority and Credit of the Parliament is ſtruck at through our ſides; We could not as Countreymen, and in Duty to that Collective Power, which gave our Company firſt a Being, but inform His Grace His Majeſties High Commiſſioner, and Right Honourable the Eſtates of Parliament of the Premiſſes, to the End, that the Great Council of the Nation, now aſſembled (whom God Almighty direct) may do therein as to them in their profound Wiſdom and Diſcretion, ſhall think fit.

That as to what thereof concerns our Company in particular, we ſhall humbly beg leave to Suggeſt further, that our Ships being now at Sea, on their intended Voyage, the former Treatment which our Company met with in England and elſe where, may give us too juſt grounds to ſuſpect, that if either through multiplicity of publick Affairs, or otherwiſe howſoever, Your Grace and Right Honourable Eſtates of Parliament, ſhould neglect the taking preſent Notice of ſuch Uſage, the Enemies of our Company would be thereby encouraged, either directly or indirectly to purſue their former deſigns of Ruining (if poſſible) all our Meaſures.

May it therefore pleaſe your Grace, and the Right Honourable the Eſtates of Parliament, to take the Premiſſes into your moſt ſerious Conſideration, to vindicat our Company's Reputation Abroad, by ſupporting the Credit of the Acts of Parliament, and Letters patent, by which the ſame is eſtabliſhed, and wherein the Honour of the Nation is ſo much concerned, to take effectual Meaſures (as the ſaid Act provides) for repairing the great Loſs and Dammages, which we have already ſuſtained, through the unwarrantable Treatment above-mentioned, as well as for preventing the like for the future; and withal to continue to us the Priviledges and Exemptions mentioned in the ſaid Acts of Parliament, and Letters patent for ſome longer time, in conſideration of the time already elapſed without Execution, and our Stock lying dead without Improvment, by reaſon of the Obſtructions aforeſaid.

Signed at Edinburgh the 22 Day of June 1698, in Name and preſence of the ſaid Council-General. By
BASIL HAMILTON, I. P. C. G.]

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PETITION the Laird of Weſtfeild Shirreff of Murray against the Laird of Grant read craving a hearing of the cauſe betuixt them Remitted by the Lords of Seſsion to the Parliament and Wedenſday appointed for that effect.

PETITION Mr Mark Ker and another petition Mr James Stewart of Chryſtwell craving that they might be allowed to qualifie themſelves to the effect they might be reſtored to the exercife of their Imployment as Advocats moved and the conſideration thereof remitted to the Committee for ſecurity of the Kingdom.

PETITION Thomas Fotheringham of Pourie craving a warrant to cite the Lord Gray and others formerly cited befor the Parliament to compear on ſix dayes to the effect therin mentioned moved and a warrant Granted accordingly.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Mäties high Commiſſioner adjourned the Parliament till Fryday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Fryday 29 July 1698.

PRAYERS said Rolls called.

THE Earle of Glencairn taking his place this day in Parliament proteſted againſt the calling of the Earle of Buchan befor him in the rolls of Parliament.

COMMISSION to Mr Roderick McKenzie of Preſtounhall for repreſenting the ſhyre of Cromarty in place of John Urquhart of Craighouſe preſented and read And it being objected that the Commiſsion declared the former Commiſsion to John Urquhart void & null which was not in the power of the freeholders to doe without expreſs warrant of Parliament After ſome debate It was put to the vote Proceed to conſider the ſaid commiſsion in plain Parliament or Remit the ſame to the Committie for contraverted Elections and it carried Remit.

MINUTS of the laſt Sederunt read.

REPORT from the Committie for contraverted Elections that it was their unanimous opinion that Patrick Steven Commiſsioner for the burgh of Aberbrothock ought yet to be admitted to ſigne the aſsociation as a member of Parliament read And it being put to the vote Approve of the report of the Committie or not It carried Approve Wherupon the ſaid Patrick Steven ſubſcryved the aſsociation.

A MOTION made that ſuch members of the houſe as are Advocats be allowed to plead in cauſes befor the Parliament wherein they have been or may be Imployed as Advocats The ſame was allowed.

REPORT from the Committie for ſecurity of the Kingdom That eight moneths Land Ceſs yearly for two years was a proper & effectuall fond towards the maintaining the number of the forces upon the preſent Eſtabliſhment. And, that in payment of annual rents the ſaids two years debtors ſhould have retention in their oun hands of one of ſix per Cent for one year read.

A MOTION made That ane account be given in Parliament how the fonds impoſed laſt Seſsion were imployed And that the ſame be examined befor the Parliament proceed to the conſideration of the ſaid report The accompt and ſtate of the ſaid fonds by way of charge and diſcharge was produced and ordained to lye on the table.

AND after debate the queſtion was firſt ſtated If the vote ſhould be Approve of the report of the Committie joyntly or ſeparatly It Carried joyntly Then it being put to the vote Approve of the report of the Committie or not Carried Approve.

DRAUGHT of ane act offering the ſoume of One million one hundred and fyftie tuo Thouſand pounds as ſextein moneths ſupply for tuo years for maintaining the forces upon the preſent eſtabliſhment brought in from the Committie for ſecurity read for the firſt tyme and ordained to lye on the table.

INTIMAT that the members might offer additional Commiſsioners for the Supply again the next reading of the ſaid act.

PETITION Mr George Campbell merchant in Edinburgh for a perſonal protection read and ordered to lye on the table.

WHERUPON a motion being made That ane act be brought in for regulating the granting of protections The ſame was remitted to the Committie for ſecurity of the Kingdom.

PETITION Thomas Dalzell of Binns Quarrelling the act reſcinding the forfaulture of the deceaſt William Mure of Caldwell and craving warrant to cite his Repreſentatives read And the queſtion ſtated Reject or Cite The ingiver after liberty craved, was allowed to withdraw the ſaid petition.

THE Committies appointed to meet to morrow at nyne of the clock in the uſuall places.

THE Lord Preſident by order of his Mâties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Saturday 30 July 1698.

PRAYERS ſaid Rolls called.

THE Lord Carmichaell in name of the Marques of Douglas Proteſted that the calling of any other in the rolls of Parliament befor the Marques might not prejudge him of his right of being firſt called & having the firſt vote in Parliament.

Adam Drummond of Megginſh & Robert Hay of Strowie Commiſsioners for the ſhyre of Perth excuſed by his Grace his Mâties high Commiſsioner in reſpect of their neceſsary abſence.

COMMISSION to Robert Hall of Fulbarr for repreſenting the Burgh of Renfrew in place of Mr William Cochran of Kilmaronock preſented and read And it being objected that the Electors had not befor electing qualified themſelves in the termes of the Law And that therefor the Provoſt of the ſaid burgh had proteſted againſt the Election And ane inſtrument taken thereupon being alſo produced The Commiſsion was rejected And the burgh of Renfrew appointed to proceed to a new Election.

MINUTS of the laſt Sederunt read.

MOVED that the petition Thomas Dalzell of Binns againſt the Repreſentatives of William Mure of Caldwell allowed the laſt Sederunt to be withdrawen might be again taken to conſideration and either Granted or Rejected The petition was again read And after ſome debate the vote being put Grant or Refuſe It carried Refuſe.

ACT for the Sixtein Moneths ſupply offered to his Majeſtie read a ſecond tyme And after ſome debate anent the termes of payment It was put to the vote If one moneths ſupply of the ſaid ſixtein ſhould be payable at Martimaſs nixt or not and Carried in the affirmative Therafter it was put to the vote Whether tuo or thrie moneths ſhould be payable at Candlemaſs 1699 and carried Thrie And then it was agreed that the nixt tuo moneths ſupply ſhould be payable at Lambmaſs and ſo tuo moneths from terme to terme quarterly to the terme of Martimaſs 1700 inclufive.

THERAFTER the act again read and after ſome amendments voted and approven.

PETITION Mr James Daes of Coudounknowes craving repetition of a ſoume as the Compoſition for a fyne impoſed on him And alſo craving that he might be allowed to qualifie himſelf to the effect he might be reſtored to the exerciſe of his Imployment as ane advocat read And the deſyre thereof as to the repetition refuſed Bot the conſideration of the petition as to his being allowed to qualifie himſelf remitted to the Committee for ſecurity of the Kingdom.

DRAUGHT of the Parliaments anſuer to the Kings Letter brought in from the Committie to whom the ſame was remitted read And after ſome amendments again read voted & approven.

ACT for the ſupply touched with the Scepter by his Mãties high Commiſsioner in the uſual manner.

THE Committies appointed to meet on Munday at nyne of the clock in the ufuall places.

THE Lord Preſident by order of his Mãties high Commiſsioner Adjourned the Parliament till Weddenſday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Wedenſday 3 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

PETITION the Councell Generall of the Company tradeing to Africa and the Indies read And after ſome debate It was put to the vote Remit the conſideration of the petition to the Committie for ſecurity of the Kingdom or to a new Committie to be choſen for that effect And it carried To the Committie for ſecurity And accordingly it was Remitted to the ſaid Committie to conſider the petition with the inſtructions thereof and to bring in a report the next Sederunt of Parliament.

THE hearing of the cauſe betuixt the Laird of Grant and the Sheriff of Murray delayed till the firſt ſederunt of Parliament next week.

OVERTURE for acts to be made viz. An Act for the more effectual reſtraining of clandeſtine and irregular Mariages and Baptiſmes An Act anent the confirming of teſtaments in favors of Minors and abſents out of the Kingdom and An Act for repairing of high wayes and filling up of Coall pitts all Remitted to the Committee for ſecurity.

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[ACT for repairing of highwayes and filling up of Coall Pitts.

OUR Soveraigne Lord with advice and conſent of the Eſtates of Parliament ratifies renewes and revives all former lawes and Acts of Parliament maid for repaireing of highwayes bridges and ferries and ordaines the ſamen to be put to full executione And farder conſidering that there are many Coall Holles and Pitts not yet filled up and other holles occaſioned by the ſitting and falling in of the ground where coalls has been wrought near the high wayes and other places which are very hazardous For remeid whereof Statutes and Ordaines that all heretors in whoſe ground there are any Coall holles and pitts not yet filled up and ceaſed to be wrought or other holles occaſioned by the ſitting or falling in of the ground or ſhall be in tyme comeing they ſhall fill up the ſaid coall holles after they have done workeing of the Coall in that place and all other holles occaſioned by the ſitting and falling in of the ground or otherwayes to build a ſtone wall about the ſaids holles of ane ell and an half height to uphold and keep up the ſamen to ſecure the ſaid holles from the hazard of either body or beaſt their falling into them and that betuixt and the firſt of November nixt under the paine of a 500 merks for every coall hole and pitt not filled up and other holles occaſioned by the ſitting and falling in of the ground the one half to be payed to the informer and the other half to the poor of the paroch in which the ſaids holles ſhall be found not filled up and that by and attour the expences of filling up the ſamen Requireing all Magiſtrats and Juſtices of Peace to cauſe put this Act in executione as they will be anſuerable.

3d August 1698.
Remitted to the Committee of Security.]

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OVERTURE and Remit to the Committee for ſecurity to conſider the former lawes anent provydeing for the poor and what farder propoſalls may be made theranent and to bring in ane act for that effect.

OVERTURE for an Act anent executeing and regiſtrating of Inhibitions & interdictions appointed to lye on the table.

OVERTURE for acts to be made viz. Act for better execution of the acts anent Scots linnen Act anent the entering of Goods Act againſt pocknet-fiſhing on the water of Forth And act anent Salmond Herring & whyt fiſhing all remitted to the Committee of Trade.

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[OVERTURES concerning Scots Linnen and alſo concerning the manner of Merchants entering of their goods.

1mo. THAT notwithſtanding of an excellent Law made in the year 1693 for the trew making of Linnen Cloth both as to goodneſse bredth & lenth; yet being never put in execution the Linnen is come to that diſreputation abroad that the benefite of it to this Nation is lyke to be wholly loſt, Therfore its humbly deſyred that the Committee of trade may be appointed to conſider upon ſuch remedies & methods as ſhall be propoſed to make the law effectual and to prevent the ruine of that nationall manufacture.

2d. That ſeing the traders and merchants in the Kingdome labour under great diſcouradgment & diſadvantages through maſters of ſhips omitting to report goods and for the want of a ſurvey before entry and in ſome caices of a poſtentry; and of an eaſie and quick method of determining differences that may ariſe betwixt them & the taxmen & collectors Therfore its humbly deſyred the Committie of Trade may be appointed to conſider of ſuch overtures as ſhall be propoſed to them for remedy heirof.

3d August 1698.
Remitted to the Committee of Trade.]

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PETITION Joſeph Ormeſtoun & William Eliot for the Windeing Throwing Tuiſting & Dyeing of raw ſilk and Act & Ratification in favors of the Glaſs manufactory at Moriſons-haven read and remitted alſo to the ſaid Committee.

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[TO His Grace, His Majeſties high Commiſsioner and the Right Honourable the Eſtates of Parliament, The Petition of Joſeph Ormſton, and William Eliot Merchants.

Humbly ſheweth

THAT where Your Petitioners have obtained an Act of the Lords of His Majeſties Privy Council, bearing date the 15 June 1697. Authorizing us to ſet up and proſecute a Manufactory of Windeing, Throwing, Twiſting, and Dying all ſorts of Raw and Unwrought Silk; And Declaring the ſame to have all the Liberties, Priviledges, and Immunities granted by Act of Parliament to Manufactories, as the ſaid Act of Council herewith produced more fully bears.

Your Petitioners have not as yet put the foreſaid Act and Conceſſion in Execution, becauſe it is very obvious, except others had been diſcharged and debarred from ſetting up and proſecuting the ſame Manufactory for a certain ſpace of years, dureing which we might have expected a Reimburſement of the neceſſar Charges and Expences, that uſually attend ſuch undertakings in the beginning, your Petitioners could not follow forth the ſaid Act, without evidently hazarding the loſs of our Stock, beſide the diſappointment of any ſmall Gain that might be reaſonably expected by the undertakers of any ſuch publick Work, which is of Advantage to the Nation.

That the ſetting up of the foreſaid Manufactory may prove of great advantage to the good of this Kingdom, is evident, this being the Foundation and ground Work, for all other Silk Manufactories, and which would imploy a great many poor People of the Nation, and conſiderably diminiſh Forraigne Import, and thereby make the ballance of Trade, much more favourable, as alſo may prove a mean through time to open a Trade directly from Scotland to Turkie, which is one of the moſt profitable and enriching Trades known, and further tends to the advancing of other Manufactories, which are dependent, as of Buttons, Gallouns, Silk ſtockings and the like: and your Petitioners do purpoſe to bring to this Country ſeveral Families who make broad Silks, and no doubt many Forraigne Weavers may be incouraged to come and Eſtabliſh in this Countrey, where they may live and work at eaſier Rates.

Upon which rational conſiderations, The Lords of His Majeſties Privy Council, granted the foreſaid Act, in favours of your Petitioners, but were loath to give us the Sole Priveldge for a certain Space; as judging it more proper for the High Court of Parliament: Notwithſtanding the ſame will appear highly reaſonable from what is abovementioned, and is the uſual and only Encouragement of all new undertakings, and which was likewayes granted to one George Sandrie in the year 1682 for the ſpace of Seventeen years, conform to an Act of Council in his favours Diſcharging all others to ſet up or work, in the foreſaid Manufactory during the ſaid ſpace, and ſeing that the ſaid Act took no effect, and that the deſign propoſed doth promiſe all the advantages abovementioned, and deſerves all Encouragement.

May it therefore Pleaſe Your Grace, and the Right Honourable the Eſtates of Parliament, to Approve of the foreſaid Act granted by the Lords of His Majeſties Privy Council in favours of Your Petitioners, And farther to grant us the ſaid ſole Priviledge of the ſaid Manufactory for ſuch ſpace of Years as Your Grace, and Honourable Eſtates of Parliament ſhall think juſt, that we alone may ſet up and Work in the ſaid Manufactory, dureing the ſpace ſo to be appointed by our ſelves, and Servants, and whom we ſhall aſſume, and Diſcharging all others to ſet up and Work therein dureing the ſaid ſpace, under the pain of Confiſcation, as is uſual in ſuch caſes.]

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PETITION the Tradeſmen of Muſſelburgh againſt Mr John Buchan Petition the Toun of Kelſo for themſelves and in name of the haill Burghs of Barrony and Regality in the Kingdom Petition for the Tradeſmen in Preſtoun and Preſtounpanns Petition for the Toun of Borrouſtounneſs and Grangepanns with ane repreſentation for the Inhabitants of the ſhyre of Ayre &c. all ordained to be ſeen and anſuered by the ſaid Mr John Buchan againſt the next Sederunt of Parliament.

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[UNTO his Grace, His Majeſty's high Commiſsioner and Right Honourable States of Parliament, the Petition of the Town of Borrowſtounneſs and Grange-Panns againſt Mr John Buchan.

Humbly Sheweth,

THAT where by the 31. Act of the 4th. Seſſion of this current Parliament, entituled, Act for the Communication of Trade: Their Majeſtys and Eſtates of Parliament did Ratify and Approve a Contract paſt betwixt the convention of Burghs and Mr John Buchan their Agent, for communicating the benefite of Trade to Burghs of Regality and Barrony; and ordained the ſaid Communication of Trade to be perpetuat to the ſaid Burghs of Regality and Barrony, upon paying or reſeiving the Royal Burghs of a juſt proportion of the 100 l. of the Taxt Roll, impoſed upon them by Act of Parliament, effeiring and correſponding to their Trade, with power to the ſaid Royal Burghs to condeſcend upon the ſaid proportion equally, and in caſe of Miſtake or Inequality, the ſaid Burghs of Regality and Barrony to apply themſelves to the Parliament, for regulating and determinating the foreſaid quota, according as they ſhall ſee fit: As alſo, we are informed, that Mr John Buchan has procured an Act of the Convention of Burrows in November laſt, whereby the Burrows Royal hath proportioned 10 l. of the Taxt Roll, and 3 l. 10 ſh. for collecting thereof, being in all the Sum of 13 l. 10 ſh. upon the ſeveral Burghs of Regality and Barrony in the reſpective Shires in the Kingdom, for Relief of the Royal Burrows: And particularly they by the ſaid Act, have given Warrand to the Town of Linlithgow for the Shire thereof to exact of the Regalities and Barronies within the ſame for their Burrows Relief, the Sum of 22 ſh. of the Taxt Roll per menſem, which anſwers to 11 l. ſtarl. of Ceſs in the Month; by which we perceive our ſelves to be exceedingly prejudged and overburdened.

Firſt, Becauſe the Quota layed on by the Burghs Royal upon the haill Regalities and Barronies within the Kingdom, being 10 lib. and 3 lib. 10 ſh. for collecting of it; it is too heavy a Burden upon the Regalities and Barronies: For the Thirteen Pounds Ten Shilling is a Sixth part of the Royal Burrows Ceſs, And comparing the Regalities and Barronies Trade with theſe of Royal Burrows, It will be found their Trade is not the Hundred part of what theſe in Burghs Royal have: And it's very well known the Burghs Royal pay their Ceſs not only upon account of their Trade, but alſo on account of their Acres, Tenements, and Common-good, whereas your Petitioners pay Ceſs for their Acres and Tenements with the reſt of the Shire.

2do. All the benefit of Communication which makes ſo great a Noiſe, is meerly the priviledge of Exporting and Importing Forraign Commodities, all the other Priviledges of Trade being already ſettled upon Regalities and Barronies, by many Acts of Parliament: And it can be demonſtrate, that the haill forraign Commodities imported by Regalities and Barronies if ſold, will not pay this Quota of Ceſs.

But 3tio. Albeit this 10 lib. were the true Proportion and Quota Regalities and Barronies would be liable in, for their Trade of Export and Import; yet it is a great Hardſhip upon your Petitioners to pay 22 ſh. of this Ten Pounds, which is all that is layed on by the Act of Burrows upon the whole Shire; and that the Town of Linlithgow and Mr John Buchan ſhould have Priviledge to lay the ſame wholly on your Petitioners, and put what they recover from the reſt of the Shire in their Pockets: And in caſe of Refuſal, or not punctual Payment, to extort the ſame by Quartering, is abſurd, conſidering any Trade your Petitioners have, is to carry home and abroad the Goods of Freemen in Burghs Royal.

4to. By the Act 1693, ſuch Executions to paſs againſt Regalitys and Barronys for inbringing their proportions as is uſuall for inbringing the Ceſs payable to His Majeſty. How then is it to be ſuppoſed, Regalitys and Barronys ſhould pay a 3d. more than their Quota for collecting of it? which 3 l. 10 ſh. ſince the commencement of Mr John Buchan's Act, will amount to the Sum of 1500 l. ſter. or thereby.

Upon the whole matter, if the foreſaid 22 ſh. monthly be exacted from us, it will altogether ruine your Petitioners, and in place of encouraging and ſetting up Trade in the Kingdom, will entirely baniſh the ſame away.

May it therefore pleaſe your Grace and Honourable States of Parliament, to take the Premiſſes to your ſerious conſideration, and to reſtrict the foreſaid 10 lib. impoſed upon Barronys and Regalitys to a juſt proportion effiering to their Trade, and to Diſcharge the exacting of any Sum whatſomever impoſed for collecting the foreſaid Ten Pounds; and to allow the ſeveral Shires according to their Reſpective proportions to have deduction and allowance thereof, and that your Lordſhips will be pleaſed to fall upon ſuch Methods for the juſt proportionating what Sum ſhall be impoſed upon the Shire of Linlithgow to be payed by the Regalities, Barronies, and other untree Traders within the ſaid Shire for the Communication of Trade, that

your Petitioners may not be overburdened, and other Burghs either altogether freed, or their proportions concealed. And Your Petitioners ſhall ever Pray.

Edinb: the thrid day of Auguſt I^m vj^c nynty eight.

HIS Mäties high Commiſsioner and the Eſtates of Parliament haveing heard the within petitione They Ordaine Mr John Buchan to ſie & anſuer the ſame ag^t the nixt Parliament day.

SEAFIELD I. P. D. P.]

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PETITION Lord Baſil Hamilton for changeing the way through his park read And warrand granted for changeing thereof he making another ſufficient way at ſight of the Earle of Galloway and other heretors concerned.

PETITION the Laird of Meldrum for a perſonall protection read And after debate it was put to the vote Appoint the petitioners Creditors to be Cited or grant perſonall protection to the firſt day of Auguſt 1699 and carried Grant protection.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till Fryday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Fryday 5 Auguſt 1698.

PRAYERS ſaid Rolls called.

THE Marquis of Douglas being abſent laſt Seſsion of Parliament did now ſubſcryve the aſsociation.

James Scott of Galla Commiſsioner for the ſhyre of Roxburgh & Mr James Cragie younger of Dumbarnie Commiſsioner for the ſhyre of Perth Took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

ANE Addreſs to his Mätie be the Parliament in behalf of the Company tradeing to Africa and the Indies Brought in from the Committee for ſecurity to whom the Conſideration of the Companies petition was remitted, read: And after debate and ſome amendments again read voted and approven nemine contradicente.

PETITION the Captains and ſeamen of his Mäties friggotts for payment of their arrears, Petition the Collonells of the Regiments on the eſtabliſhment of this Kingdom lately diſbanded, Petition the Officers of the Lord Lorn and Collonell Buchans Regiments And Petition Leiv^t James le Blanc and certane other French Officers refugees lately diſbanded all for payment of arrears all read & remitted to the Committee for ſecuritee of the Kingdom.

PETITION David Lord Elcho for himſelf & in name of the other Coallmaſters in the Kingdom craving the Impoſition of ſextein ſhilling per tun might be diſcharged at leaſt as to theſe veſſells that come to export coal and Petition the Owners and Maſters of ſhips in Borrouſtouneſs Grangepanns & Queensferry for diſcharging the Impoſition of four ſhilling laid upon their ſhips ſince Auguſt 1697 & in tyme comeing both read and remitted to the ſaid Committee.

PETITION ſeverall officers who ſerved his Majeſty in the army preceeding February 1691 for their arrears read and ordered to lye on the table.

ACT anent perſonal protections, Act & Ratification in favors of the Glaſs Manufactory at Moriſons-haven and Act anent pocknet fiſhing brought in by the Committies all read the firſt tyme and ordained to lye upon the table.

PETITIONS at the inſtance of ſeverall perſons for perſonall protections moved and the conſideration thereof delayed till the firſt ſederunt of Parliament next week.

PETITION the four ordinary Macers of Seſsion craving an allowance of tuelve ſhilling for every firſt act read and after debate It was put to the vote Grant or Remit the petition to the Committee for ſecurity And carried Grant.

THE Committies appointed to meet to morrow at nyne of the clock in the uſuall places.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till Munday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Munday 8 Auguſt 1698.

PRAYERS ſaid Rolls called.

THE Lord Forbes took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

RECOMMENDED to his Mäties high Commiſsioner and to the Lord Preſident to tranſmit to his Mätie the Parliaments addreſs in behalf of the Company tradeing to Africa and the Indies.

Sir Francis Scott in name of the Company Returned their hearty thanks to his Grace his Mäties high Commiſsioner and the right Honorable Eſtates of Parliament for the favours done to the Company and farder entreated that the concerns of the company and any addreſses that ſhould be made by them to his Mätie might from tyme to tyme be preſented to his Mätie To which his Grace his Mäties high Commiſsioner and the Lord Preſident anſuered that the Company might be alwayes aſsured of their readineſs to ſerve them.

SEVERAL petitions for perſonal protections againſt liquid debts till the next Seſsion of Parliament, read: and ſome of them granted and ſet doun in a particular liſt appointed to lye in the records and ſome laid aſyde.

PETITION James Bayne his Mäties maſter Wright for a debt due to him for the Palace of Halyrudhouſe, read: and remitted to the Committie for ſecurity of the Kingdom.

PETITION Mr George Dickſon of Bughtrig craving that he might be allowed to qualifie himſelf &c. moved and the conſideration thereof remitted to the Committee for ſecurity of the Kingdom.

ACT reſtraining perſonal protections for hereafter, read a ſecond tyme And it being moved that a clauſe ſhould be added therto that noe perſone dureing the currency of, and untill he ſhould renunce the benefit of ſuch protection ſhould be capable to elect or be elected a member of Parliament After debate it was put to the vote Add or not and it carried Add Therafter it being moved that ane other clauſe ſhould be added that none getting a protection for hereafter ſhould be allowed to ſit or vote in Parliament during its currencie and untill they ſhould renunce the benefite thereof After ſome debate the vote was put Add this clauſe or Approve the Act without it and it carried Approve.

OVERTURE for bringing in an Act in favours of the Toun of Edinburgh for regulating the building of Houſes therein read, and remitted to the Committee for trade.

OVERTURES propoſed for acts to be brought in viz. An Act for repreſsing rableing An Act for the more eaſy quartering of Souldiers An Act for the more effectuall repreſsing of Roberies in the Highlands And an Act for the better provydeing of miniſters ſent to preach in the north all remitted to the Committee for ſecurity of the Kingdom.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Māties high Commiſsioner Adjourned the Parliament till Wedenſday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Wedenſday 10 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ORDERED that it be added to the grant of all protections that the ſame ſhall not defend against any diligence raiſed or to be raiſed for the Kings money.

AGREED upon a motion that the protection given to Alexr Mylne of Carriden be for all debts for which he or his father were bound with or for Sir Robert Mylne.

ORDERED that no protection be of force unles the act be extracted and produced.

DRAUGHT of an Act for reſtraining the expenſes of apparell brought in from the Committie of trade read for the firſt tyme And after ſome debate if the diſcharge of the uſeing of Gold or Silver ſhould be extended to horſe furniture It was put to the vote Extend or not and Carried in the affirmative And then ordered that the draught ſhould be printed as a propoſal that the members might ſee & conſider it again the next reading.

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[PROPOSAL of an Act to be paſt, for Reſtraining of the Expenſes of Apparel.

OUR Soveraign Lord, Conſidering the great Advantage that may arise to the Nation, by Manufactoring their own Product; Doth therefore with Advice and Conſent of the Eſtates of Parliament, ſtrictly Prohibite and Diſcharge, not only the Importing by any Merchant, or other perſon whatſomever; But alſo the wearing by any of His Majeſties Subjects, or others dwelling or reſiding within the Kingdom, of any Gold, or Silver Threed, or Filegran, Gold, or Silver-Lace, Freinges or Treaſings, all Buttons of Gold or Silver-Threed, or Filegran, all manner of Cloaths, Stuff or Ribbons, in which there is any Gold or Silver-Threed to be worn upon, all Wearing Apparel, or Horſe-Furniture, and all the Counterfits of them: That is, the Importing thereof after the Day and Date of theſe Preſents, and the wearing thereof at any time, or in any place, after Whitſunday next to come, under the pains following. To the Importer, and Reſetter of the Import, of the Burning and Deſtroying of what ſhall be Imported, contrary to this Prohibition, and to be furder Fined in the Sum of five hundred Merks. And as to the Wearer, that the perſon wearing the ſamen, be ſummarly Attached by any of His Majeſties free Leidges, brought before any Judge Ordinary on the place, and by him upon Conviction, immediatly Fined in the Sum of five hundred Merks toties quoties, by and attour Confiscation of the Subject, upon which any of the Goods above Prohibit ſhall be found. Which five hundred Merks, is either immediately to be payed, or the perſon Fined therein, to be immediatly Impriſoned, unleſs he find good and ſufficient Caution to make due Payment thereof, within the ſpace of thirty days thereafter without any Suſpenſion. And the ſaid Fine to be applied, half thereof to the Attacher or Diſcoverer, the Procurator Fiſcal of the place if Diſcoverer, included; and the other half to the Judge himſelf, either for his own uſe, or the uſe of the Poor, as he ſhall think fit. Likeas, His Majeſty with Conſent foreſaid, ſtrictly Prohibits and Diſcharges all Merchants, or other Perſons whatſomever, to Import to this Kingdom any Forraign Holland, Linen, Camrick, Lawn, Dornick, Damask, Teicken, Buſten or Dimmity, Tufted or Stript Holland, Sileſia or Eaſt-India Linen, Baſes, Cairſes, Sarges Milned or Unmilned, Droggats, and all other Stuffs made of Linen, Wool or Lint, except Flanel and Muſlen: all Forraign Stockens, Silk or Woolen, all Forraign Laces made of Silk, Gimp or Threed, all Forraign Lace, all Bougil, all Poynt White or Coloured, all Forraign-made Gloves, Prohibited by a former Act in the year [1681.] all Forraign Shoes or Slippers, all Wearing-Cloaths made abroad, for Men, Women, or Children, excepting Wearing-Cloaths wanting Silver or Gold-Threed, or Linens brought Home by perſons for their own uſe, who have been abroad and there uſed the ſame: And they are hereby allowed half a year for wearing their ſaids Cloaths after they come into this Kingdom; and if they be found wearing them after the half year is elapſed, then they ſhall be Attached and Fined in five hundred Merks; which five hundred Merks is to be applied as aforeſaid. And farder, His Majeſty with Conſent foreſaid, Prohibits and Diſcharges the Importation or Wearing any Silk-Stuffs, that are above twelve ſhillings Sterling Value the Ell here; Excepting always from this preſent Act, all Goods that ſhall be Imported by the African-Company, conform to their Rights, Liberties and Priviledges; except as to the wearing of Gold and Silver-Threed; with Certification, that all ſuch Goods as ſhall be Imported contrary hereto, ſhall be Burnt and Deſtroyed; and the Importers or Reſetters of the Import, Fined in the Sum of five hundred Merks; and the Tackſmen or Collectors of the Cuſtoms, and all their under Officers and Servants, (for whom the ſaids Tackſmen or Collectors are declared lyable) are hereby ſtrictly Required and Commanded to ſearch for, Seize, Apprehend, Burn, and Deſtroy any of the ſaids Goods prohibite, that ſhall be Imported contrare to this Act: With certification, if they ſuffer the ſaids Prohibite Goods to be Imported, either by Tollerance, Connivance, or Componing, they ſhall not only Amitte and loſe their Offices, but ſhall alſo be Fined in the Sum of one thouſand Merks toties quoties, and the Tackſman or Collector, lyable for his Sub-Tackſman or Collector as ſaid is; which Tollerance, Connivance or Compoſition, ſhall be probable by Writ, Oath of Party, or Witneſſes; and the Fine ſhall be applied, two part to the Informer, and a third to the Judge for himſelf; or for the uſe of the Poor as he ſhall think fit. And His Majeſty with Conſent foreſaid, doth hereby farder Impower the Lords of His Majeſties Privy Council, to extend the Prohibition contained in this Act, to ſuch other Cloaths and Stuffs of all ſorts, for the uſe of Man as they ſhall think fit. And likeways, to give ſuch farder Orders as may be conducing to make the Prohibition above ſet down, the more effectual. And farder it is Declared, that this Action is, and ſhall be competent to any of His Majeſties Leidges, to Seize and Purſue for the ſaids Prohibite Goods, and to make ſearch for the ſamen with the Aſſiſtance of a Judge. And it is likewiſe Declared, That all Sheriffs and their Deputies, Stewarts of Stewartries, Baillies of Regalities, Magiſtrats of Burghs, and Juſtices of Peace, are Judges Competent to the ſaids Purſuits. And laſtly, for better Encouragement of Silk Manufactories within this Kingdom, It is Declared and Enacted, that all Silk-Weavers ſhall be allowed to ſet up their Manufactories within any Burgh or Burghs within the Kingdom, and ſhall have the Priviledge of Burgeſſes

and Freemen therein, gratis: and they and their Servants to be Free from Quartering, Watching, Warding, or other Town-Duties and Taxes paid, and performed by the other ordinary Burgeſſes of the ſaids Towns: and that all the Commodities Imported for the uſe of their Manufactories, or Exported from them, ſhall be Free of all Taxes: And their Priviledges to continue for the ſpace of ſeven Years, after the Date of the Act procured by them, at their Entry to their Work; which all Magiſtrats are Ordained to give to ſuch Workmen, when demanded. And for farder Encouragement of Manufactories within this Kingdom, all Collectors, Surveyers, Waiters and their Servants, (for whom they ſhall be lyable) ſhall Exact punctually the Cuſtoms and Impoſitions upon all Cloaths not Prohibit, according to the expreſs Tenor of the Laws and Acts of Parliament, without Concealing, Conniving, or Componing for any Diminution thereof, under the Pains and Certifications above mentioned. And it is farder Declared, that all Reſetters and Concealers of the ſaids Goods which are not Entered, are to be lyable to the Penalties above mentioned, as the principal Delinquents.

TARBAT I: P: Com.]

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DRAUGHT of an Act for preventing diſorders in ſupplying & planting vacand churches brought in from the Committee for ſecurity read for the firſt tyme and appointed to lye on the table.

ACT againſt pocknet-fiſhing on the water of Forth read a ſecond tyme and voted and approven.

PROCES the Laird of Pourie against the Lord Gray allowed to be ſeen by the Lord Grays procurators in the clerks hands till the ſecond Sederunt of Parliament next week.

PETITION Captain James Drummond for a warrand to cite his creditors in order to his obtaining a protection moved and the deſyre therof granted.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till Fryday next at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Fryday 12 Auguſt 1698.

PRAYERS ſaid Rolls called.

THE reading of the *Minuts* of the laſt Sederunt delayed till the next Sederunt of Parliament.

ADDRESS the Commiſsioners of the late General Aſsembly for a National faſt read, which being agreed to, an act appointing the ſecond Lords day of September next to be keept as a National faſt was read voted and approven.

ACT for reſtraining the expenſses of apparel again read And it being moved that there ſhould be an exception in the act as to all officers & ſouldiers their livery cloaths & other accoutryments After ſome debate it was put to the vote Approve of the Exception or not and Carried not Then it was moved that the horſe Guards ſhould be Excepted and the vote being put it carried Except and it being furder moved If the foot guards ſhould be excepted after ſome debate the vote was put & carried Except.

THERAFTER upon conſideration of the whole Act it was moved that in place of a ſumptuary Act as to apparell an Act ſhould be brought in to regulat the Import And after debate the vote was put Proceed to the furder conſideration of the ſumptuary Act or Reject and carried Proceed.

LIST of the protections granted this Seſsion of Parliament read & ſubſcryved by the Lord Preſident to lye in the records.

PETITION Earle of Mortoun for a warrant to cite Sir William Bruce granted.

PETITION the Laird of Grant craving a day might be appointed for hearing his procurators in his counteraction of Reduction & Declarator against Weſtfeild: Whether Weſtfeild ſhould inſiſt or not read and Weſtfeild appointed to ſee & anſuer againſt the next Sederunt of Parliament.

OVERTURE for an act anent Regalities in the Highlands read & ordered to lye on the table.

THE Committies appointed to meet on Munday next at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till Wedenſday next at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Wedenſday 17 Auguſt 1698.

PRAYERS ſaid Rolls called.

THE Earle of Glencairn craved that ſince this was the firſt tyme of the Lord Cardroſs his takeing place in Parliament as Earle of Buchan he ſhould inſtruct his title And after ſome debate the matter was delayed till to morrow.

THEN the Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Thurſday 18 Auguſt 1698.

PRAYERS ſaid Rolls called.

Sir Thomas Kilpatrick of Cloſsburn one of the Commiſsioners for the ſhyre of Dumfreis being abſent and excuſed laſt Seſsion of Parliament did now ſubſcryve the aſsociation.

Patrick Houſtoun Commiſsioner elected for the Burgh of Renfrew in place of Mr William Cochran of Kilmaronock took the oath of alledgiance and ſubſcryved the ſame with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt thrie Sederunts read.

THE Earle of Glencairn inſiſted that the Earle of Buchan might inſtruct his right to the title of Buchan And the Earle of Buchan having produced an extract of a Chartour dated 1625 with an Act of Parliament 1633 in favors of James Earle of Buchan his predeceſsour After ſome debate the vote was put Allow the Lord Cardroſs to be called in the rolls of Parliament as Earle of Buchan reſerving to the Earle of Glencairn and others to quarrell his title and precedency as accords yea or noe and Carried in the affirmative.

THEN the Earle of Buchan took his place and took the oath of alledgiance & ſubſcryved the ſame with the aſsurance & aſsociation and took the oath of Parliament.

ACT for preventing diſorders in ſupplying & planting vacand churches read a ſecond tyme and voted and approven.

PETITION the Earle of Glencairn and other Earles craving they might be allowed to ſee the wrytes produced for the Earle of Buchan read and Fryday next week appointed for hearing both parties and that in the mean tyme they ſee & anſuer hinc inde in the clerks hands.

ACT for a Glaſs Manufactory at Moriſons haven read a ſecond tyme and Act for another Glaſs Manufactory in favors of the Lord Elcho alſo read and after debate the farder conſideration of both delayed till the next Sederunt of Parliament.

ACT against the wearing of Silver & Gold lace &c. again read and after ſome debate it was put to the vote Allow the wearing of Gold & Silver Lace &c. manufactured within the Kingdom or not and Carried in the negative.

A MOTION made that the Royal Regiment of Dragouns might be excepted from the Act After debate the vote was put Allow of the Exception or not and Carried in the negative and after ſome debate and amendments the act was again read voted and approven.

ACT regulating the wearing of Silk Stuffs brought in from the ſaid Committee read and ordered to lye on the table.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Mäties high Commiſſioner adjourned the Parliament till to morrow at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Fryday 19 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHT of the following acts viz. Act anent quartering for deficiency, Act anent quartering of Souldiers & Act for the more effectual reſtraining of clandeſtine and irregular mariages brought in from the Committee for ſecurity and read for the firſt tyme.

ACT anent Prohibitory & Irritant Clauſes in tailzies, Act for the eaſe of ſmall vaſsalls of the lands which held formerly of the biſhops &c. Act in favors of minors anent registrating of ſumonds and inſtruments of interruption Act concerning Communion Elements Act for preſerving the Game Act for preſerving of Planting Act anent the regiſtration of probative writs all read for the firſt tyme and appointed to lye on the table.

MOVED that Licence be given to the Lords Commiſsioners of Juſticiary to ſit in tyme of Parliament on ſuch dayes as the Parliament ſits not for the tryal of Beawfort & Captain Simeon Frazer his ſone and the ſame granted.

OVERTURES for acts to be made viz. Act anent the copper coyne Act for the better proviſion of Miniſters benorth Forth Act for explaining a clauſe in the act concerning procuratories of reſignation Act for tranſporting the annexed excyſe of Brandy from being payable by the retailer to be payable by the importer all remitted to the Committie for ſecurity.

ACT for regulating the manner of building in the City of Edinburgh read a ſecond tyme and after ſome debate & amendments again read voted & approven.

OVERTURE for continueing the act anent meaſuring of malt read & remitted to the Committie of trade.

ACTION on a proteſt for remeid of law Thomas Fothringham of Poury against the Lord Gray & others called and both parties procurators being heard The defence of noe proces untill the decreit quarelled be produced, ſuſtained: And diligence granted as to the grounds and warrands.

A MOTION being made for conſidering the contraverſy betuixt the Burghs Royall & Mr John Buchan their Agent and the burghs of Barrony & Regality & other unfree traders The ſeverall petitions anſuers repreſentations & overtures hinc inde theranent all remitted to the Committie for Security.

PETITION Sir William Sharp of Scotſcraig against Sir Alexander Bruce of Broomhall with Broomhalls anſuers remitted to the Committie for Contraverted Elections.

PETITION Mr James Colvill for payment of a precept due to his Grandfather out of the vacand Stipends, Petition the Lord Belhaven & others about their tack duty of the excyſe 1695 and Petition Mr Alexr Cunyngham for incourageing a deſigne of illuſtrating the Civill Law all read & remitted to the Committie for ſecurity of the Kingdom.

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[UNTO His Grace His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament

Mr Alexander Cunninghame

Humbly ſheweth,

THAT he has made ſome progreſs in a Work upon the Civil Law in Four Volumes in Folio; In the 1ſt. and 2d. Volumes whereof, the Text ſhall be far more correctly publiſhed, than it has yet been; And the Notes upon it ſhall explain about Two Thouſand Paſſages, which have not been Expounded at all, or which have not been rightly Expounded, either in the Amſterdam Edition in Two Volumes in Folio, or in the Edition with the Gloſs in Five Volumes in Folio.

The 3d. Volume ſhall contain the Reconciliations of the oppoſite Laws: And it ſhall be written in ſuch a Method, that this part of the Study of the Civil Law, will become Pleaſant, Uſeful, and Neceſſary.

The 4th. Volume ſhall be a Syſtem of the Digeſts, by way of Principles and Conſequences: Which way of Writing (tho not yet attempted) will mightily contribute to the enlarging of the Underſtanding; and it will likewayes render the Study of the Civil Law much leſs burdenſome to the Memory.

Now in regaird that the forefaid Four Volumes, will give a truer and fuller view of the Civil Law, than all the Books yet Extant have done, and that they will ſave the Students of it a great deal of Time and Money: Seing with the help of theſe few Books, one may acquire a more perfect knowledge of it in three or four Years, than he could do in Ten Years with the peruſal of all the other Books of Law. And in regaird that ſo great a Work, which ſhall be finiſhed in the ſpace of Six Years, will be very Chargeable to the Undertaker.

May it therefore Pleaſe Your Grace, and Honourable Eſtates of Parliament, To allow to your Petitioner Two Hundred Pounds Sterling Yearly for Six Years, toward the carrying on of this Work, Which as he has judged it his Duty, to make an humble offer of it to his own Countrey, ſo he Humbly preſumes to think, that it is not unworthy of the Patronage and Encouragement of ſo auguſt an Aſſembly.

Alex: Cunninghame.

Edr 19 August 1698.

HIS Majeſties high Commiſsioner and the Eſtates of Parliament having conſidered this petition they Remit the conſideration therof to the Committee for Securitie of the Kingdome.

SEAFIELD I. P. D. P.

Edr 26 Auguſt 1698.

THE Committee for Securetie of the Kingdome having conſidered this petition with the above remit of Parliament are of opinion that his Majeſties high Commiſsioner and the Eſtates of Parliament burden the Impoſition on the Tunnadge of ſhipping with eightein hundred pound to be payed to the petitioner yearly as a yearly fee and ſallary as profeſsor of the Civil Law in this Kingdome and that he be nominat profeſsor for that effect And that they Remit to the Lords of his Majeſties Privie Councill to allow the petitioner to go abroad to qualifie himſelfe farther for carieing on the work within mentioned for ſuch tyme as they ſhall think fit.

ANNANDALE I. P. C.]

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PETITION Sir John Shaw of Greinock for an Impoſition on liquors brouen & vented in Greenock for building & repairing the Harbour thereof, Overture for an Act for an Impoſition on Liquors brouen & vented in New port Glasgow for repairing the Harbour thereof and Acts in favors of the Touns of Montroſe Kirkcaldy & Bruntiſland for the lyke Impoſitions all remitted to the Committee of trade.

PETITION Sir William Ruthven late of Dunglaſs for a perſonal protection read And after debate it was put to the vote Grant protection to the next Seſsion of Parliament or not and carried Grant.

PETITION Captain James Drummond moved and his creditors being called were ordered to be ready to anſuer the Petition againſt the next Sederunt of Parliament.

PETITION Mr James Winraham for a perſonall protection against the debts for which he ſtands bound with and for Pittencreiff read.

THE Committies appointed to meet on Munday at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Māties high Commiſsioner adjourned the Parliament till Munday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Munday 22 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ACT anent quartering of Souldiers, Act anent quartering for deficiency, Act anent the regiſtration of probative writs, Act for the more effectual reſtraining of clandeſtine & irregular marriages & Act in favors of Minors anent regiſtrating of ſummonds & inſtruments of interruption all read for a ſecond tyme, And after debate & amendments each of them again read voted and approven.

OVERTURES made for bringing in the following Acts viz. An Act anent extracts of faſines & an Act for reſcinding the clauſe in the 24 Act Parliament 1695 allowing apparent aires to enter cum beneficio inventarii.

ACT for the eaſe of ſmall vaſsalls of lands holden formerly of the Biſhops &c. and now of his Mātie read a ſecond tyme & the furder conſideration thereof delayed.

PETITION the Toun of Aberdeen for a Woollen Manufacture, Overture for an Act for an Impoſition to the Toun of Kinghorn on Liquors brouen & vented there and for repairing its harbour and Petition the burgh of Jedburgh for a ſmall cuſtome on goods paſsing the bridge of Ancrum and for repairing thereof all remitted to the Committee of trade.

PETITION the Burgh of Lanerk for ſome ſupply out of the vakeing ſtipends towards the building & finiſhing of a bridge over the river of Clyde read & remitted to the Committee for ſecurity.

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[UNTO His Grace, His Majeſties High Commiſsioner and the Right Honourable the Eſtates of Parliament, the Magiſtrates, and Town Council of the Burgh of Lanrick.

Humbly Shew,

THAT where for the moſt neceſſary Work of building a Bridge over the River of Clyde, at our ſaid Town, We obtained the Warrand and Allowance of the Lords of His Majeſties Privy Council, for a Contribution throughout the whole Kingdom; which was accordingly publiſhed and gathered, but amounted to a very ſmall Sum, not exceeding Two Thouſand Merks, for any thing yet Collected, which is nothing proportionable to the Charges requiſite for Building of the ſaid Bridge: Likeas this Honourable Court of Parliament in their laſt Seſſion, upon a Petition preſented by Us, Granted a Recommendation to the Lords of the Treaſury, for ſome vaccand Stipends, for compleating of the ſaid Work, which was then by us begun; Which Recommendation hath hitherto taken no effect: And yet the foreſaid Work is by us carried on to the ſecond Arch, which is now a Building; Albeit any thing we have hitherto got, be far below the Expences we have made upon the ſaid Work: And ſeing the foreſaid Work is not only moſt neceſſary, but now far advanced, one Arch of Three, wherof the Bridge muſt conſiſt being already put up; and that it is viſible to any who underſtand the Expences of ſuch a deſign, that it muſt of neceſſity, exceed the Sum of Twenty four thouſand Merks Scots; And that all we have yet received, will not, with the benevolence of a Thouſand Merks, which we have got from the Burghs Royal, extend to a Seventh Part of the foreſaid Sum, ſo that, without the Aſſiſtance of this Honourable Court, ſo great, and ſo good a Work, ſo far advanced, muſt certainly fail and come to Ruine.

May it therefore pleaſe Your Grace, and the Honourable Court of Parliament, to Conſider the Premiſſes, and in the firſt place, to Recommend our Caſe effectually, to the Lords of His Majeſties Treaſury, that out of the Vacancies, that now are or may fall to be at His Majeſties diſpoſal, we may have (preferable to all others) ſuch a Sum as this Honourable Court, ſhall pleaſe to determine: And next to appoint ſuch other means and wayes as may be moſt effectual, the Work being undoubtedly neceſſary, as well as great; and ſuch, as without Your Grace, and Lordſhips aſſiſtance, will never be perfited; but (of neceſſity) even the Expences already made, muſt come to nothing. And Your Petitioner ſhall ever Pray.

J. Hamiltone.

Edinb: 22 Auguſt 1698.

HIS Māties high Commiſsioner and the Eſtates of Parliament haveing heared the within petitione read in ther preſence They doe Remit to the Committie for securitie to conſider the same and to report.

SEAFIELD I. P. D. P.]

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DRAUGHTS of the following Acts viz. Act for erecting a Rope Manufacture at Glasgow & Act for encourageing of fiſhing both read ſt the firſt tyme and ordered to lye on the table.

PETITION the burgh of Fortroſe againſt the ſhyre of Roſs & Anſuers for the ſhyre therto both given in laſt Seſsion of Parliament Moved and remitted to the Committie for contraverted Elections to be conſidered and reported.

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[UNTO His Grace William Duke of Hamiltoume their Majeſties High Commiſsioner and the Honorable Eſtates of Parliament, the Magiſtrats of the Burgh of Fortroſe for themſelves and in name and behalf of the Counſell and Communitie of the said Burgh.

Sheweth

THAT wher their Majeſties moſt noble Progenitors King Alexander King James the Second and King James the Sexth (of moſt worthie memories) by ſeaverall Chartors and Ratificationes granted be them in favoures of the inhabitants of Roſsmarkie and Chanorie of Roſs erecting creating and incorporating the ſaids tounes and lands and pertainents thereof in Burghs Royall and giveing and diſponeing unto them the haill priviledges immunities and freedomes of Burghs Royall and by ſeaverall Ratificationes thereof paſt in Parliament particullarly the Parliament holden in anno 1661 the ſaids tuo Burghs and inhabitants thereof are confirmed in the Royaltie of the ſame (for diverſe cauſes & motives therinſpēit) and both of them with the lands and bounds thereunto pertaining united and erected in one Burgh Royall becauſe of their contiguity and nearneſs to ane other (being but a rigg length diſtant from other) to be called the burgh of Fortroſs in all tyme therafter Lykas the inhabitants and burgeſſes of the ſaid Burghs of Roſemarkie & Chanorie now both called Fortroſs have alwayes been in the conſtant and immemoriall poſſeſſione of the priviledges of Burghs Royall and of the lands and bounds belonging thereto and Ratificatione thereof foreſaid heirwith readie to be produced untill that the Commiſsioners for the Ceſs and Supply of the Shyre of Roſs have at their own hands without any collour of Juſtice or title whatſumever taken and valued the ſmall burgage lands of the ſaid burgh of Roſemarkie belonging to us with the reſt of the lands of the Shyre and have cauſed their Collector to exact and extorte from the Heretors of the burgage lands their proportione of the Ceſs thereof And although we have reclamed ſeaverall times againſt the unjuſtice thereof and that the ſhyre itſelf cannot be but ſenſible of the ſame yet to this houre they keep ſtill poſſeſſione and no redreſs made to us therefore Wherby the petitioners are highly & greatly wronged and prejudged and being very poore and indigent were never able to compeate and debate our intereſt againſt the ſaid Shyre that is too potent for us to be pairties againſt us But now this happy Revolutione offering faire opportunities of redreſs to all wronged and injured perſones your petitioners are confident to ſhare and partake of the benefits thereof by decerning & ordaining the Commiſſioners of the ſhyre of Roſs and their Collector to put and expunge out of their valuatione Books the ſaid burgage lands and to allow us to brook enjoy and to have the ſame valued with our Burgh conforme to our ſaid rights That therby we may be in ſome meaſure enabled to ſupporte the great burden and poverty of the Burgh which otherwayes we will never be able to doe being now ſo decayed that the moſt of the inhabitants are in a manner but Beggars and ſcarce can there be had amongſt them ſo many as can make a Magiſtracie though formerly a pleaſant and flouriſhing place, and are forced to this as the laſt effort of our ſupporte And therefor to diſcharge the ſaids Commiſsioners or their Collector foreſaid to trouble or moleſt us any more in the poſſeſſione of our ſaid burgage lands and ſo the petitioners may find to their Comfort this a happie and healling Seſsion of Parliament.

May it therfor pleaſe your Grace and honorable Eſtates of Parliament to take to your ſerious conſideratione the rights and titles of the ſaid Burgh of Fortroſe, and the wrong and unjuſtice done againſt the ſame be the ſaid Commiſsioners of the ſaid shyre of Roſs in takeing and withholding from us our ſaids burgage lands which are the only meane of ſupporting our great burden & povertie conſidering our decayed and verie low condition and to redreſs us theranent by ordaining the ſaid Shyre not only to quyt and expunge the ſame out of their valuatione Rolls And to allow & authorise us in the poſſeſſion thereof conforme to our rights āmentioned and to diſcharge them from troubleing us therein in all tyme comeing But alſo to make payment and repetition of the profit & money intrometted with and uplifted be them out of the ſaid burgage lands of all yeares and termes bygone ſince their wrongous intromiſſione And therby your petitioners may now find the happy effect of thir times of redreſs the comfort juſtice and advantage of their Mäties Gracious Government and this happy and hailling Seſsion of Parliament And your Graces and Lordſhips Petitioners ſhall ever pray &c.

D. Simson Commiſsioner for the Burgh of Fortroſs.

Edin^{r} 11th May 1693.

THEIR Mäties high Commiſsioner and the Eſtates of Parliament haveing heard the above petitione read in plaine Parliament They ordaine the Commiſsioners from the Shyre of Roſs to make anſwer thereto againſt Tueſday next with certificatione &c. Sic Sub^{r}

TWEDDALE Cancel. I. P. D. Parl.

Ed^{r} 22 Auguſt 1698.

HIS Mäties high Commiſsioner & the Eſtats remit to the Committee for contraverted Elections to conſider this petition with the anſwers & to report.

SEAFIELD I. P. D. P.

Edinb. 26 August 1698.

THE Committie for contraverted Electiones haveing conſidered the within petitione & anſuer formerly given in with new anſuers this day given in by the Commiſsioners for the shyre of Roſs and remit from the Parliament to the Committie And haveing heared the Commiſsioner for the brugh of Fortros and Commiſsioner for the ſhyre of Roſs It appears to the Committie by the conceſsiones of both parties That the burgh of Fortros does both bear a proportionall burden with the royall burroues and is lykewayes valued at thrie hundreth nynty fyve pund ſeaven ſhill. Scots with the shyre of Roſs for their burgadge lands and that the brugh of Fortros ought to be only lyable for their proportione as a burrou And lykewayes it does appear that the said thrie hundreth nynty fyve pound ſeaven shill. of valued rent for the said burgadge lands is a pairt of the quota of the valuatione of the shyre And that in the said burgadge land not being lyable to pay ceſs with the shyre ther ought to be a ſuitable remeid for releife of the shyre which the Committie leaves to the conſideration of the Parliament.

DAVID DALRYMPLE I. P. C.]

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ON a petition the Earle of Buchan, The Earle of Glencairn condeſcended to give in his objections againſt the Earle of Buchans right to that title & dignity once to morrow that the Earl of Buchan might be ready to anſuer thereto on Fryday.

HIS Grace my Lord Commiſsioner appointed his Mäties Advocat, the Lord Juſtice Clerk and Solicitor to reviſe the Ratifications to be prefented this Seſsion of Parliament.

THE Committies appointed to meet to morrow at nyne of the clock in the uſuall places.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till Wedenſday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P

Wedenſday 24 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHTS of the following Acts viz. Act anent Extracts of Saſines, Act againſt children marrying without conſent of parents &c. Act for the more effectual inbringing his Māties rents, Act againſt tutors or curators their marrying their pupills &c. Act regulating proteſts for remeed of Law, Act anent gifts of Eſcheat upon Adultery & Act anent divorces for non adherence all read for the firſt tyme & ordered to lye on the table.

ACT for the eaſe of ſmall vaſsalls of Lands holden formerly of the Biſhops &c. and now of his Mātie read a ſecond tyme and voted and approven.

ACT prohibiteing the importation of Silk Stuffs read a ſecond tyme and a propoſal being made that all Silk Stuffs ſhould be prohibit except ſuch as ſhould be manufactured within the Kingdom After debate the vote was put Prohibit the import of all forraign Silk Stuffs or Allow and carried Prohibit.

OVERTURES for acts to be made viz. Act for burying in Scots green Linnen & Act for prohibiting the Importation & wearing of all forraign woollen Cloath read & remitted to the Committie for trade.

DRAUGHT of an Act impoſeing a Pole as a fond for payment of Arrears brought in from the Committee for Security read And tuo Overtures being made One that an Impoſition on stamped Paper ſhould be the fond And another for an Impoſition on Glaſs Windowes as a proper fond After debate it was put to the vote firſt proceed to conſider the Impoſition by Pole or on Paper And it Carried Pole And then the vote was again put Proceed to conſider the pole or an Impoſition on Glas Windowes and Carried Pole Therafter the Act again read and ordered to lye on the table.

MOVED that the Earl of Glencairn ſhould be allowed to withdraw his petition againſt the Earl of Buchan reſerving to the ſaid Earl of Glencairn to inſiſt in his clame hereafter either befor the Parliament or Seſsion as he ſhould think fit and the ſame allowed.

OVERTURE for an Act prohibiting the exportation of Wooll, Overture for an Act for encourageing the woollen manufacturies of this Kingdom & Overture for an Act diſcharging French Commodities all read and remitted to the Committee for trade.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Māties high Commiſsioner adjourned the Parliament till Fryday next at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Fryday 26 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ACT impoſeing a Pole read for the ſecond tyme And it being moved that the Claſses of the Pole ſhould be firſt conſidered After reading over the Claſses and ſome debate therupon It was put to the vote If the ſaid Pole was the proper fond for payment of the arrears yea or not and Carried in the affirmative Therafter the narrative of the act was taken into conſideration And a motion being made that the act & report of the Commiſsion of Parliament appointed for the Pole 1693 with a petition be the Collonells & other officers to whom arrears was due preceeding 1691 might be read Both were read And after ſome debate the furder conſideration of the ſaid Pole 1693 delayed Then it was moved that a clauſe be added to the act for payment of the cloathing money due to the officers of the regiments diſbanded preceeding 1691 The vote was put Add or not and it Carried in the negative And the furder conſideration of the act delayed till the next Sederunt.

DRAUGHT of an Act anent the poor brought in from the Committie for ſecurity of the Kingdom read for the firſt tyme and ordered to lye on the table.

THE Committies appointed to meet to morrow at nyne of the clock in the uſuall places.

THE Lord Preſident by order of his Māties high Commiſsioner adjourned the Parliament till Munday next at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Munday 29 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ACT impoſeing a Pole again read And after ſome debate and amendments voted and approven.

DRAUGHTS of the following acts viz. Act anent the Tunnage, Act for Tranſporting the Excyſe of Brandy &c. Act prohibiting Silk Stuffs, Commiſsion for Regulation of Judicatures, Act prorogating the Commiſsion of Juſticiary in the Highlands, Act for the continuation of the Pole for a ſecond year, Act anent the ſale of Minors Eſtates, And Act for Incourageing the ſale of Cattell all read for the firſt tyme and ordered to lye on the table.

THE following acts viz. Act anent the manufacture of Ropes and Cordage at Glasgow, Act in favors of the Glaſs Manufactory at the Weems, and Act in favours of the Glaſs Manufactory at Moriſons haven read for a ſecond tyme and after ſome debate and amendments all of them again read voted and approven.

OVERTURE for an Act againſt wrongous Impriſonment moved and Remitted to the Committie for ſecurity.

PETITION Earl of Mortoun againſt Sir William Bruce read & ordered to be given out to Sir William Bruces procurators with the proces at the Earles inſtance againſt him.

PETITION Mr James Daes of Coudounknowes againſt James Hay of Carriber read and James Hay appointed to fee and anſuer againſt the ſecond Sederunt of Parliament next hereafter.

PETITION and Proceſs Captain James Drummond of Hill againſt his Creditors moved And the Creditors called and the hearing their procurators delayed till the next Sederunt of Parliament.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THE Lord Preſident by order of his Māties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Tuesday 30 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that a warrand be granted to Elect a Commiſsioner for the ſhyre of Cromarty in reſpect the Commiſsion produced for Mr Roderick McKenzie of Preſtounhall was by him paſt from The ſame was granted and the freeholders appointed to meet the laſt Tueſday of November nixt, to proceed in the ſaid Election.

LIST of the Ratifications preſented to be paſt this Seſsion of Parliament read.

LIST of fairs and weekly mercats craved to be granted this Seſsion of Parliament read and ſome alterations made.

THE following acts viz. Act for preventing Disorders in ſupplying and planting vacant churches, Act against pocknet-fiſhing upon the water of Forth, Act concerning the regiſtration of probative wrytes, Act in favors of Minors anent regiſtrating ſummonds of interruption &c. Act against clandeſtine and irregular Marriages &c. Act Diſcharging the wearing of gold & ſilver lace &c. Act Regulating the manner of buildings within the Toun of Edinburgh, Act anent quartering of Souldiers, Act anent quartering for Deficiency, Act for the eaſe of ſmall vaſsalls of lands holden formerly of Biſhops &c. now holden of the King, Act for a Pole, Act in favors of the Manufactory of Ropes and Cordage at Glasgow, & Act in favors of the four Ordinary Macers of Seſsion all touched with the Scepter by his Mäties high Commiſsioner in the uſual manner.

THE following acts viz. Act anent the poor, Act anent the Tunnage, Act for Tranſporting the Excyſe of Brandy, & Act for a ſecond years Pole read for a ſecond tyme and after ſome debate & amendments all of them again read voted & approven.

DRAUGHTS of the following acts viz. Act for an additional allowance to the Lords of Seſsion, Act for a conſtant faſhion of apparel, Act ratifieing an Act & Proclamation of Councill anent perſouns goeing to & returning from France, Act regulating the trade betuixt Burghs Royal and Burghs of Regality Barony and others, Act for ſetling the communication of trade, and Act anent the entering and ſurveying of Goods, all read for the firſt tyme and ordered to lye on the table.

ACT in favors of the Manufactory of whyt Paper offered & remitted to the Committee for trade.

ACT anent Tailzies containing irritant clauſes read a ſecond tyme And after ſome debate the vote was put Proceed to the furder conſideration of the Act or Delay and carried Proceed. And the Act being again read it was Repreſented by the Marquis of Tueeddale that he Judged himſelf concerned, and therfor craved his procurators might be heard befor the paſsing of the Act which was granted And the ſecond enſueing Sederunt of Parliament thereto appointed.

THE Committies appointed to meet to morrow at nyne of the clock in the uſual places.

THEN the Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the forenoon.

SEAFIELD I. P. D. P.

Wedenſday 31 Auguſt 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ACTS of Ratification in favors of ſeveral perſouns preſented and paſt.

WARRANDS for fairs and weekly mercats in favors of ſeveral perſouns read and ſome alterations being made of the dayes Granted.

LISTS of additional Commiſsioners for the ſeveral ſhires of the Kingdom for inbringing the ſupply read and after ſome additions the liſts again read and agreed to.

PATENT in favors of the deceaſt James Lord Forreſter & his airs preſented by William now Lord Forreſter and craved to be recorded read and ordered to be recorded.

ACT for an additional allowance to the Lords of Seſsion, Act for the Incouragement of whyt fiſh and herring fiſhing, Act Regulating the trade betuixt Burghs Royall and Burghs of Regality Barony and others, and Act & Commiſsion for ſetling the Communication of trade read a ſecond tyme and after ſome debate & amendments all of them again read voted and approven.

REPORT in favors of Mr James Colvill Advocat for a Recommendation to the Theſaury read And after ſome debate the vote put Recommend or not and Carried in the affirmative.

PETITION the Maſters of Mariſchalls Colledge in Aberdeen for a Gift of ſome vacand ſtipends for maintaining the fabrick of the ſaid Colledge read and Granted till the next Seſsion of Parliament.

REPORT upon the petition preſented by the Lord Belhaven and others read and the conſideration thereof delayed till the next Sederunt of Parliament.

THE Lord Preſident by order of his Mäties high Commiſsioner adjourned the Parliament till to morrow at ten of the clock in the foirnoon.

SEAFIELD I. P. D. P.

Thurſday 1 September 1698.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

LIST of additional Commiſsioners of Supply for the ſhyre of Dumfreis read and agreed to.

A WARRAND for a fair at Mauchlin in favors of the Earle of Loudoun read and granted.

REPORT upon the petition preſented by the Lord Belhaven & others again read And after ſome debate it was moved that befor conſideration thereof the Parliament ſhould paſs a reſolve that what ſhould be abated to the Lord Belhaven and his conjunct & ſubtackſmen the Parliament will be careſull to have made up to his Majeſty for payment of the arrears when ſtated and the vote being put Approve of the reſolve or not It carried in the affirmative Then a report of the Lords of Theſaury and Exchequer anent the ſaid affair read And after furder debate it was by vote Determined in anſuer to the Lord Belhavens petition that of what is payed by Belhaven and his partners to his Mätie nothing ſhould be payed back As alſo that what ſhall be found uplifted from the Countrey either in money or bonds more then is already payed ſhall be payed in to his Mätie and that the Tackſmen be lyable for the ſamen whether it hath been uplifted by them their ſubtackſmen, or their Collectors and that the tackſmen are to be noe farder lyable and that what ſhall be in this manner abated ſhall be proportioned among the ſubtackſmen at ſight of the Lords of Theſaury and Exchequer.

REPORT upon the petitions of ſeveral advocats who had not tymeouſly qualified themſelves for a recommendation to his Mätie read voted and approven.

THE following acts viz. Act Ratifieing an Act & Proclamation of Councill anent perſouns goeing to and comeing from France, Act for preſerving the Game, & Act for preſerving of planting read for a ſecond tyme, And after ſome debate & amendments all again read voted and approven.

PETITION John Sharp of Hoddam for an Impoſition to build a bridge over the water of Annan read And after debate by vote Remitted to the Privy Councill to doe therin after hearing of parties as they ſhall find juſt.

PETITION the Brewars of Edinburgh anent the pryces of their Ale read and agreed to that the minimum for the pynt of Ale till March next be tuo ſhilling eight pennies and tuo ſhilling four pennies therafter till the next Seſsion of Parliament and the Magiſtrats of Edinburgh appointed to cauſe the act be printed & publiſhed.

PETITION the Earl of Northeſk for a warrant for Shore Dues Anchorage & other petty Impoſts at the harbour of Erroll for repairing therof read and the vote put Grant the deſyre or not and carried in the affirmative.

ACT in favors of the Chirurgeons of Edinburgh read for a firſt tyme.

REPORT of the Commiſsion of Parliament anent the Pole 1693 read and after ſome debate It being moved that the ſeverall petitions of the Tackſmen of that Pole and of the Officers of the diſbanded Souldiers for whoſe arrears the ſaid Pole was impoſed with the queries from the Commiſsion for the ſaid Pole ſhould be all remitted back to that Commiſsion with a parliamentary power and to be Determined betuixt and the firſt of March next with this Declaration that the members of the ſaid Commiſsion ſhould not be lyable for their Determination and that it ſhould be remitted to the King to fill up the vacancies It was put to the vote Remit or not and carried Remit and the Act and Remit appointed to be printed and publiſhed.

THE following acts viz. Act for an additional Allowance to the Lords of Seſsion, Act for preſerving the Game, Act for preſerving of planting, Act anent perſouns goeing to & comeing from France, Act anent the Tunnage, Act Regulating the trade betuixt the Burghs Royall and Burghs of Regality & Barony and others, Act ſetling the Communication of trade, Act anent the poor, Act againſt perſonal protections, Act Tranſporting the Excyſe of Brandy, Act for Incourageing whyt fiſh and herring fiſhing, And Act continowing the Pole all touched with the Scepter by his Māties high Commiſsioner in the uſual manner, As alſo Act in favors of the Glaſs Manufactory at the Weems, & Act in favors of the Glaſs Manufactory at Moriſons haven touched in the ſame manner.

PETITION and Proces Captain James Drummond of Hill againſt his Creditors for a protection moved, And after ſome debate the vote was put Grant perſonal protection till the next Seſsion of Parliament or not and carried Grant.

THE Macers & Houſekeepers recommended to the Theſaury for their extraordinar attendance this Seſsion of Parliament.

ACT Salvo Jure Cujuslibet read voted & approven.

ACT & Remit to the Commiſsion of Parliament anent the Pole 1693, Protection Captain James Drummond, & Act Salvo Jure all touched with the Scepter by his Māties high Commiſsioner in the uſual manner

THERAFTER his Grace my Lord Commiſsioner made a ſpeech to the Parliament.

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[THE Speech of Patrick Earl of Marchmont His Majeſties High Commiſſioner to the Parliament, at the Concluſion of the Seſſion, the firſt of September 1698.

My Lords and Gentlemen,

THE Seaſon of Harveſt is ſo far advanced, that the Members of this Houſe are beginning to long for a Cloſe of this Seſſion, that they may go to the Countrey to ſee to the Reaping of their Cropt of Corns, which God be thanked is ſo much bettered ſince you met together, that the Fear the Countrey was under of Dearth and Scarcity, is changed to a good Hope, which is very comfortable to all, eſpecially the poorer ſort.

Albeit your Seſſion has not been long, yet when what you have done in the Service of your King and Countrey is duely Conſidered; All muſt be ſatisfied that you have improven your time diligently, and to very good purpoſe: I need not recapitulat your Acts made, they are ſo recent; but this I may aſſert, that what you have done makes a good Demonſtration of your moſt hearty Affection to, and intire Truſt in your Soveraign Lord the King, and of your Diſpoſition and Readineſs to ſerve him in that which is his greateſt Satisfaction, His Fatherly Deſign of increaſing the Proſperity and Happineſs of His good Subjects; and to do every thing towards the Support of His Majeſties Honour and Government, which can be expected from a People deeply ſenſible of, and thankful for the Great Bleſſing of God to this Nation, of Bringing and Eſtabliſhing a Pious, Wiſe, Couragious, and active Proteſtant King, to bear the Crown and ſway the Scepter of this Kingdom.

I will not fail (God willing) fully to repreſent to His Majeſty both the greatneſs of your Performances, and the Heartineſs, Alacrity and Calmneſs of your Procedure, and I am very perſwaded His Majeſty will not only be well ſatisfied of what you have done, but will alſo heartily accept it as a clear evidence of your firm and unalterable Loyalty and good Affection to him, and Zeal in His Service.

My Lords and Gentlemen,

As I have good Reaſon to be confident that you will do it; So I do earneſtly recommend to you, that when you go to your ſeveral homes, you will make it your Buſineſs to put the people in remembrance of the great things his Majeſty has done for them, and how conſtant and effectual his happy endeavours have been, and are even to this Moment for procuring their peace and comfort, and their enjoyment of their Religion, Properties, Laws and Liberties which formerly were in great danger, but now by the bleſſing of God upon his Majeſties Endeavours, are reſcued, eſtabliſhed, and as we have reaſon to hope, ſecured againſt the malicious Deſigns of His Majeſties and our Enemies.

And I alſo recommend to you in your ſeveral Stations, the Preſervation of the Peace, the due Execution of the Laws, which is indeed the Nurſe of peace, and the charitable maintenance of the Poor, who by the hardſhips of this and former years are become very numerous: That ſo the Works of Piety and Charity increaſing and flouriſhing in this Nation by the example of you who repreſent it; There may be good ground of hopeing, that Almighty God will bleſs and eſtabliſh both the King and the People.]

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THEN the Lord Preſident by order of his Māties high Commiſsioner adjourned the Parliament to meet at Edinburgh the fyfteinth day of November next and declared the ſame to be adjourned.

SEAFIELD I. P. D. P.

MINUTES OF THE PARLIAMENT OF KING WILLIAM, HOLDEN AT EDINBURGH MAY XXI, M.DCC.

Tuesday 21 May 1700.

PRAYERS said.

THE Kings Commiſsion to James Duke of Queensberry to be His Majeſties high Commiſsioner to this Seſsion of Parliament Read.

THE Rolls called.

THE Earl of Eglintoun in name of the Earle of Sutherland proteſted for the precedency of all Earls ranked before him in the Rolls of Parliament.

THE Earl of Mar proteſted for the precedency of all Earls ranked before him in the Rolls of Parliament.

THE Earl of Mortoun proteſted for the precedency of all Earls ranked before him in the Rolls of Parliament.

THE Earl of Eglintoun proteſted againſt the calling of the Earl of Glencairn before him in the Rolls of Parliament.

THE Lord Jedburgh in name of the Earl of Lothian his father proteſted againſt the calling of the Earl of Roxburgh and others before him.

THE Viſcount of Tarbat in name of the Earl of Seaforth proteſted againſt the calling of the Earl of Lauderdale and others before the Earl of Seaforth.

THE Earl of Findlater proteſted againſt the calling of the Earl of Airlie before him.

THE Earl of Leven proteſted againſt the calling of the Earl of Callendar before him.

A LETTER from His Majeſtie to my Lord Commiſsioner appointing the Lord Montgomery to ſit and vote in this Seſsion of Parliament as Lord High Theſaurer Read.

A LETTER from His Mātie to my Lord Commiſsioner appointing the Viſcount of Seafield principall Secretary of State to sit and vote in this Seſsion of Parliament as Lord Secretary Read.

PATENT upon the Reſignation of Ann Dutches of Hamilton creating James Earl of Arran her ſon Duke of Hamilton and Patent creating David Boyle of Kelburn Lord Boyle both read and ordered to be Recorded.

THE Duke of Hamilton Viſcount of Seafield Lord Secretary The Viſcount of Stair and the Lord Boyle took the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

THE Lord Lindoirs abſent ſome Seſsions of Parliament signed the aſsurance and aſsociation And the Lord Duffus and Robert Craig of Riccartoun ane of the Commiſsioners for the ſhyre of Edinburgh both abſent the laſt two Seſsions of Parliament ſigned the aſsociation.

COMMISSION to Adam Cockburn of Ormieſtoun for being Lord Theſaurer depute in place of the Lord Raith deceiſsed & Commiſsion to Sir John Maxwell of Pollock to be Lord Juſtice Clerk in place of Ormieſtoun both read and ordered to be recorded And they took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

Sir John Johnſtoun of Weſterhall Commiſsioner for the shyre of Dumfreis Robert Pollock of that Ilk for the shyre of Renfrew and Thomas Sharp of Houſtoun for the shyre of Linlithgow all new elected took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

Mr James Hamilton Commiſsioner for the Toun of Dumfermling and Mr James Campbell for the Toun of Renfrew both new elected took the oath of alleadgeance and signed the ſame with the aſsurance and aſsociation and took the oath of Parliament.

COMMISSION to Sir Andrew Hume for repreſenting the Toun of Kirkcudbright preſented and read and after ſome objections moved and a Reſerve made of an Inquiry if his Electors were duely qualified The said Sir Andrew was admitted and took the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

ORDERED that the Magiſtrats and Councill of the Burgh of Kirkcudbright be cited to appear before the Parliament in order to the said inquiry.

A DEBATE being moved anent the Lord Montgomery his being appointed to sit and vote as Lord High Theſaurer this Seſsion of Parliament. After produceing of the Records and reading of the declaration made by King James the Sixth in the Parliamant 1617 anent the Officers of State his Lordship did take the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

OBJECTED againſt the Commiſsion preſented for David Stewart to repreſent the Burgh of Whitehorn in place of Patrick Murdoch vacant by his not signeing the aſsociation that the said Patrick

had duely signed the same and the matter remitted to the Committie to be chosen for contraverted Elections.

THE Kings most Gracious Letter to the Parliament presented by His Majesties High Commissioner Read.

THEN His Majesties high Commissioner made his Speech to the Parliament.

THERAFTER the Lord Chancellour made his Speech to the Parliament.

A MOTION being made for printing his Grace the Commissioners Speech and the Lord Chancellours Speech the samen was ordered accordingly.

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[THE Speech of James Duke of Queensberry, &c. His Majesties high Commissioner to the Parliament of Scotland, on Tuesday the Twenty one day of May 1700.

My Lords and Gentlemen,

THE Care and Concern which His Majesty expresses in His Letter, for the Welfare and Prosperity of this Kingdom, must needs be Satisfying to all of You; And as a further Evidence of it, He had certainly Held this Session in Person, if His other necessary Affairs abroad had not Deprived Us of that Happiness.

His Majesties Accession to the Throne was the most Seasonable and Acceptable Deliverance, that ever happened to a Nation; and the Maintaining those Blessings He then Procured Us, has ever since been the chief Design of His Reign.

You see His Majesty is firmly Resolved to Preserve your Religion, Laws and Liberties, and the Presbyterian Government of this Church, as it is Established; and is Desirous, not only that You fall upon the most effectual Methods for Preventing the Growth of Popery, and Discouraging Vice and Immorality: But that you also Provide, what may be further needful for the Increase of Piety and Learning.

The King gives You such Convincing Reasons for New Supplyes, for Maintaining the Troops, that little needs be added to Inforce so visible a Necessity, most of His Allayes are Involved in the present Commotions, and His and Our Enemies ready to lay hold on every Opportunity: And therefore His Majesty is Confident, that You will Cheerfully continue that dutiful Regard You have ever shown to His Service and Your Own Safety.

His Majesty is very sensible of the Misfortunes and Disappointments that has happened to Us, in the matter of Trade; and therefore has Instructed Me, to Concur in any thing that may Promote and Encourage Trade in this Nation: And I do so particularly know His Majesties good Mind in this Matter, that I can give You Assurance of Obtaining any thing that shall be reasonably Proposed.

You have likewise now the Opportunity of Making what New Laws may be judged needful, for the better Securing and Settling your Civil Rights, as also for the Encouraging of Industry and Manufacturies, Relieving the Poor, and Supplying what else may be found Wanting: So that His Majesty having done so much on his Part, it is not to be Doubted, but that You will *do* all that's proper on Yours, to *bring* this Session to a happy Conclusion.

My Lords and Gentlemen,

It is His Majesties Pleasure, that I should have the Honour to Represent His Royal Person in this Session of Parliament. I am not insensible of my own Unfitness, but the Assurance I have of His Majesties Good Intentions towards this Kingdom, and the Assistance I confidently expect from You, who has given so great and constant Proofs of Your Loyalty and Zeal for His Majesties Service, encouraged me to undertake this weighty trust which I am resolved to discharge with all possible firmness and fidelity to His Majesty and affectioun and Integrity to my Countrey.]

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[THE Speech of Patrick Earl of Marchmont, &c. Lord High Chancellor to the Parliament of Scotland, on Tuesday 21 May 1700.

My Lords and Gentlemen,

OUR Soveraign Lord the King, who has done so great things for this Nation, as we have good reason ever to rejoyce of, and for which we ought to show our perpetual Gratitude, by a constant Readiness to do His Majesty such Services as will be acceptable to Him, has so plainly and kindly in His most gracious Letter, expressed his firm Resolution to make it the chief Design of his Reign, to do every thing that may tend to the Advantage and Good of His Subjects, that I need say nothing to perswade you to rest assured of it, and to rely upon it.

The Commissioners Grace, whom his constant Fidelity to His Majesty, Zeal for the Good of the Countrey, and His other fit Enduments, have justly Induced the King to imploy in the Great and Important Trust of representing His Majesties Royal Person in this Session of Parliament; And who is no doubt upon the mentioned Considerations most acceptable to us all: Haveing likeways expressed to you, His Majesties good Resolutions and Intentions; It seems not necessary for me to add to what you have heard upon that Subject.

My part shall be then earnestly to invite you to the Remembrance and Consideration of the Great and Eminent Danger this Nation was in, as to all its most valuable Interests, when it pleased God to put it in the Heart of our King to appear for our Rescue and Deliverance, likeways of the great Wisdom and Prudence, Conduct and Courage, which have been eminently shown; The great Labours, Travels and Pains, which have been undergone and taken, the great and many Dangers and Hazards which have been encountered by His Majesty, in the prosecution of His glorious Undertaking for Rescuing and Establishing our Religion, Liberties and Laws.

But above all, to invite you to the Remembrance and Consideration of the wonderful Mercies and Goodness of God, who has been pleased to show his favour to this Nation, in raising up for it so great a Deliverer, and in Countenancing and Supporting Him, and giving Him so happy a Success in His Enterprizes; That these things which seemed to be next to impossible, are brought to pass to the unexpressible Joy and Comfort of all good People in the Nation.

An universal Peace did terminat that War wherein most part of the Princes and States in Europe were deeply concerned and engaged, one of the greatest, most Bloody and Expensive that ever Europe had seen, and of a long Continuance: Tho' this Nation and its Interests were all at stake in that war; Yet by the wise Conduct of our King, we felt it not much: We were in Peace at Home, no Enemy to invade our Houses, none to pluck the Morsel from the Mouths of our Children; Nay, not so much as to drive our Cattel from their Pasture, excepting that short time, when our own unnatural Countreymen, ravaged in and harased the North of Scotland, to the great prejudice indeed of these honest hearted Patriots there, who bravely showed their Zeal and concern for the Support of the happy Settlement then established.

I hope to see the Time, and that it is not far distant, when the Parliament of Scotland will consider the great Losses and Prejudice sustained by their fellow Subjects; These worthy Persons who then bore the Burden, and endured the Heat of the Day; and will do it in such a manner, as may convince the Sufferers how willing they would have been, and are, to partake with them in their Losses, as well as they do in their benefites and Advantages.

But at this time, it is necessary for us to consider, that tho' we are at peace with Forraign Princes and Powers; Yet the Enmity of a Multitude, Natives of this Kingdom, living in it, and injoying the Protection of the Government; Besides these

who are Abroad, is not at an end; they are not reconciled, they are ſtill Deſigning and Hatching Miſchief, and waiting Opportunities to put in Execution.

We may juſtly too take notice of the Breach that is beginning among the Proteſtant Princes of the North, and of the Warlike Preparations which are made both for Land and Sea, by other Neighbouring Princes and States, which may at leaſt lead us to bethink ourſelves, and to be ſo far upon our Guard, as to provide for maintaining that tranquility within the Kingdom, which we now enjoy.

The King's Majesty has told you, that he thinks it neceſsary for that purpoſe, that the Forces be provided for; and I am confident that no man who obſerves well, and conſiders juſtly, will differ from his Majeſties opinion.

My Lords and Gentlemen,

I cannot but tell you, that the penetrating Wiſdom of our King, has been ſo manifeſt in the Courſe of his Reign, as juſtly claims a great Deference from you, that the Care he has taken of your most important Intereſts, and the great Things he has performed for you, do juſtly claim an intire Truſt and Confidence to be lodged in Him: All the Proof of theſe which He expects at this time, is what may very well be expected from a Parliament, which all along has evidenced ſo much good Affection to Him, and Gratitude towards Him; Let us not change our way, but with honeſt and generous Minds, Heartily, Readily and Unanimouſly go into, and joyn with the Sentiments of our Prince to His Satisfaction and Comfort, when the doing it will ſo much tend to our own Safety, Peace and Advantage: Now is the time, and if we lay not hold upon the Occaſion, we will certainly repent it, and perhaps when it is too late, which I hope God in His Goodneſs ſhall prevent, by guiding your Hearts and bleſſing your Endeavours.]

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THE Orders of the houſe appointed to be printed and affixt on the uſuall places.

MOVED that a Committie be choſen one of each ſtate to Reviſe the Minuts of Parliament this Seſsion and aggreed to.

A MOTION made that there are severall vacancies for Shyres & Burghs which ought to be supplied viz. the Shyre of Peebles vacant by Sir Archbald Murray of Blackbarronies deceiſs The Shyres of Bute and Renfrew by the Lords Boyle and Juſtice Clerk their promotion The Shyre of Nairn by the deceiſs of the Laird of Calder younger The Shyres of Dumbartoun Stirling Clackmanan and Kinroſs And the Burgh of Linlithgow vacant through William Colquhoun of Craigtoun Alexander Naper of Culcreoch the Laird of Clackmannan and Sir David Arnot of that Ilk and William Higgings their not signeing the aſsociation Ordered that Warrands be iſhued out for new Elections to be made in the ſaid Shyres and Burgh in the uſuall form on the dayes following viz. In the Shyres of Peebles Clackmannan and Kinroſs on Tueſday nixt the twenty eight of May inſtant In the Shyres of Dumbartoun and Stirling on Thurſday the Thirtieth of May inſtant In the ſhyre of Renfrew on Saturday the firſt of June nixt In the Shyres of Bute and Nairn on Thurſday the Sixth of June nixt And in the Brugh of Linlithgow upon Tuesday nixt the twenty eight of May inſtant.

THE Lord Chancellour intimat that at the nixt Sederunt the Parliament are to proceed to choiſe the uſuall Committies.

THE Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till Fryday nixt at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday 24 May 1700.

PRAYERS said Rolls called.

THE preſent Lord Pitſligo makeing his firſt Compearance in Parliament took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

THE Lord Kinnaird being abſent ſome Seſsions of Parliament signed the aſsurance and aſsociation Alexander Stevenſon Commiſsioner for the Burgh of Kilrenny being abſent the laſt two Seſsions of Parliament signed the aſsociation.

Archbald Douglas of Cavers Commiſsioner for the ſhyre of Roxburgh and Alexander Gordon of Gaithy Commiſsioner for the ſhyre of Sutherland both new Elected took the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

THE Orders of the houſe read.

THE Lord High Conſtables deputes allowed to be preſent at the meetings of the Parliament and that this be added to the orders of the houſe.

MINUTS of the laſt Sederunt read.

A MOTION being made for printing the Kings Letter to the Parliament the ſame was ordered accordingly.

ORDERED that a new Warrand be iſhued out for Electing a Commiſsioner for the Burgh of Linlithgow in place of Mr William Higgins now an actual Miniſter of the Goſpell founded upon his dimiſsion of his place and the Towns application in reſpect it is now inſtructed that Mr William Higgins had duely signed the aſsociation so there was no vacancy on that account and Tueſday nixt appointed for makeing the ſaid Election.

MOVED that the Eſtates might seperat and make Election of their ordinary Committies.

MOVED that the Act of Parliament 1690 anent the Conſtitution of Committies of Parliament might be read, and the ſame was read accordingly.

MOVED that the affair of Caledonia as a nationall concern may be first taken into conſideration Moved alſo that the affair of Religion and the preventing of the grouth of Popery may be preferred which was agreed to And severall other motions being likewayes made it was inſiſted that the affair of Caledonia be preferred nixt to that of Religion. The farder conſideration of the said motions were delayed till the Committies were choſen.

RESOLVED that all motions and overtures be firſt made in plain Parliament and that no motion or overture come in from any of the Committies but upon matters first remitted to them by the Parliament.

ORDERED that the Committie for Security of the Kingdom conſiſt of nyne of each Eſtate The Committie for trade of seven of each Eſtate The Committie for contraverted Elections of fyve of each Eſtate The Committie for returning an anſwer to the Kings Letter of one of each Eſtate and that one of each Eſtate be named for reviſeing the Minuts of this Seſsion of Parliament wherupon the Eſtates haveing separat to their feverall places they returned and reported their feverall Elections as follows.

FOR Security of the Kingdom Of the Eſtate of the Nobility the Earl of Melvill Lord Preſident of the Secret Councill the Earls of

Argyle Erroll Mar Lauderdale Loudoun Leven Annandale and the Lord Carmichael Of the Eſtate of the Barons Robert Craig of Ricartoun Sir John Hume of Blackadder William Bennet of Grubbet Sir Francis Scott of Thirlſtain William Baillie of Lamingtoun Sir Thomas Burnet of Leyes Ludovick Grant of that Ilk James Brodie of that Ilk Sir W^m Anſtruther of that Ilk Of the Commiſsioners for Burghs Sir Robert Chiefly Sir Archbald Muir Mr John Murray Sir James Smollet Mr Robert Stewart Mr David Dalrymple Sir John Hamilton Sir Hugh Dalrymple Sir William Hamilton.

FOR Trade Of the Nobility the Earls of Aboyne and Kintoir the Viſcount of Tarbat the Lords Forbes Jedburgh Ruthven and Boyle Of Barons William Moriſon of Preſtoun Grange Sir John Houſtoun of that Ilk Patrick Murray of Livingſtoun James Moir of Stoniewood George Broddie of Aſliſk James Scot of Logie younger Sir Adam Gordon of Dalfolly Of Commiſsioners for Burghs James Fletcher John Anderſon for Glaſgow John Muir for Air Robert Johnſtoun Mr Alexander Cuningham Mr William Johnſtoun Hugh Brown.

FOR contraverted Elections Of the Nobility the Earls of Glencairn Findlater and Carnwath the Lords Jedburgh & Bellenden Of the Barons William Hepburn of Beinſtoun Sir James Scot of Galla James Pringle of Torwoodlie William McDowall of Garthland and Thomas Sharp of Houſtoun Of the Commiſsioners for Burghs Mr Francis Naper Sir Andrew Home Mr James Campbell Mr John Lyon Sir Robert Stuart.

FOR anſwering the Kings Letter Of the State of Nobility the Earl of Argyle Of the Barons the Laird of Grant Of the Commiſsioners for Burghs Sir Hugh Dalrymple.

FOR reviſeing the Minuts of this Seſsion of Parliament Of the Nobility the Viſcount of Tarbat Of the Barons Sir John Lauder of Fountainhall Of the Commiſsioners for Burghs Mr David Dalrymple.

WARRAND granted for the sitting of the Juſtice Court and inferior Courts dureing this Seſsion of Parliament notwithſtanding of the sitting of the Parliament.

THE Lord Chancellour by order of his Majeſties high Commiſsioner adjourned the Parliament till Munday nixt at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.]

Monday 27 May 1700.

PRAYERS said Rolls called.

THE Earl of Selkirk excuſed by his Grace his Majeſties high Commiſsioner in reſpect of his neceſsary abſence in attending the Kings perſon.

COMMISSION by the Earl of Selkirk Lord Regiſter to Mr Alexander Gibsone one of his depute Clerks of Parliament to preſent ſigne & officiat for him dureing his abſence this Seſsion of Parliament preſented and ordered to be recorded.

THE Earl of Forfar excuſed by His Majeſties high Commiſsioner in reſpect of his indiſposition.

THE Lord Colvile took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

MOVED that by reason of the ſitting of the Parliament the Seſsion which commences the firſt day of June nixt may be for ſome time adjourned and Resolved that an Act be prepared and brought in for adjourning the same.

OVERTURES for Acts to be made viz. an Act for the Proteſtant Religion and Preſbeterian Government in the Church as now Eſtabliſhed Ratifieing all Laws made in their favors, An Act for preventing the grouth of Popery with ſuch additions as shall be found neceſsary and an Act for the more effectual execution of the Laws made for repreſsing vice and immorality all read and remitted to the Committee for Security.

A REPRESENTATION and Petition of the Councill Generall of the Company tradeing to Affrica and the Indies read wherby it was craved that his Mãties high Commiſsioner and the Eſtates of Parliament do take the severall matters of fact therin repreſented into their moſt serious consideration to vindicat support and protect them in the enjoyment of their lawfull priviledges both as a Company & as subjects of this free and independent Kingdom to take ſuch meaſures as they (in their profound wisdom) may judge most effectuall for repairing the many damnadges the petitioners have already sustained and for aſsiſting them in the further proſecution of their Companys lawfull deſigns But more especially for the maintainence of their juſt right and title to the Settlement of Caledonia and the enjoyment of ſuch advantages as if duely protected may probably ariſe therby.

PETITION from the Heretors of the Sheriffdom of Eaſt Lothian preſented by the Barons Repreſenting the ſaid ſhyre was Read in Parliament wherby they Craved that effectuall Courſe may be taken for curbing of vice and putting in execution the Laws for maintaining and imploying the poor and for encourageing Manufactories at home and carrieing on the trade abroad with advantage to lay on ſuch impoſitions on the import as may overballance the export and particularly that of France. And to aſsert the Indian and Affrican Companys right to their Colony of Caledonia which has been and ſtill is unjuſtly called in queſtion and to give support to it and to relieve the Countrey of ſuch a great number of forces every way so uneaſy to them and in lieu therof to fall upon ſuch other methods for Security of the Peace and Support of the Government as may be more for the intereſt of the Kingdom and conſiſtent with the Liberty of the Subject.

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[TO His Grace His Mãties High Commiſsioner & the Right Honorable the Eſtates of Parliament the humble Addreſs and Petition of the Heretors of the Shirrefdom of East Lothian.

THAT whereas after a long and expenſive war we expected to have enjoyed the bleſsings of a happily concluded Peace by the re-eſtabliſhing of our Forreign Trade Encouraging of home Manufactures imploying of the Poor in the improvement of our native product, and the leſsening of our publick Burdens.

But instead thereof to the unspeakable loſs and almost ruine of the Nation we find our Trade abroad sensibly decayed and our Coin carried out by the importation of Commodities from places where ours are prohibited. Our woollen and other Manufactures at home by the same means and the Remiſsneſs of Magiſtrates in puting the Laws in due Execution receive not that Encouragement which the Intereſt of the Countrey requires, whereby our poor are neither maintain'd nor imploy'd as they otherways might be: And more especially Our Company trading to Africk and the Indies meets with so much opposition from abroad, and gets so little support at home, that after so great a loſs of men and expence of Treasure their Settlement in Caledonia may now too probably a second time fall under the same unlucky Circumstances, as at firſt, if not prevented.

And yet after all these hardships which the Nation groans under, numerous Forces are still kept on foot, while our much

wealthier Neighbours are disbanding, which occaſions now in time of Peace heavy and unneceſsary Taxes.

All which misfortuns and other calamities which have of late befallen us we cannot but look upon as the effects of the displeasure of Almighty God, for the great immoralities that every where abound amongst all ranks and degrees of men to the dishonour of God and our holy Religion and debauching the spirits and corrupting the manners of the People.

May it therefore pleaſe your Grace and the Right Honorable the Estates of Parliament to take some effectual courſe for the curbing of vice and puting in execution the many laudable Laws for the maintaining and imploying the poor that they may be usefull and not burdenſome to the Kingdom And for the encouragement of our Manufactures at home, and carrying on our Trade abroad with advantage, to lay on such impositions on the branches of our import as may overballance our export, and particularly that of France, And to aſsert the Indian and African Company's Right to their Colony of Caledonia, which has been and still unjuſtly is called in Queſtion, and to give such support to it as may encourage the Adventurers to go on with an undertaking, which if vigorously pursued may tend so much in the future to the wealth, honour and interest of the Nation and to relieve our Countrey of so great a number of Forces every way so uneasy to the People and in lieu thereof to fall upon such other methods for security of the Peace and support of the Government as may be more for the interest of the Kingdom and more consistent with the Liberty of the Subject.

	Yester.
Alex^{r} Wauchope of Stotinclouche.	Alex^{r} Hay ſon to the laite Marquis of Tweeddaile.
Geo: Dowglas portioner of Eastbarns.	Wm Baird of Newbythe.
D. Hepburn of Humby.	Pet: Wedderburn of Goſſoord.
W. Skirving of Plewlandhill.	Will: Niſbett of Dirletoun.
James Chrystie of Newhall.	Jo: Sinclair of Stevenſtoun.
Sr G. Suttie of Balgone.	Jo: Hay of Alderſton.
Charles Congalton of Congalton.	Ad: Hepburn yor of Humbie.
Robert Achesone of Sydſerf.	Jo: Hay of Lethem.
Jo^{n} Sydserfe of Colledghead.	Ro^{t} Broune of Coalſtoune.
Da. Forrest of Gymmermilnes.	Henry Borthwick of Pilmuir.
Ri: Millar of Fairneshot.	Francis Kinloch of Gilmertoun.
Pat: Hepburne of Abaymylne.	Geo: Livingtoune of Saltcoats.
Jo: Hay of Eaſthope.	Wm Broun of Dalgowrie.
Jo. Young of Rudelands.	John Marjoribanks of Leuchie.
Alex^{r} Miller of Gourlabank.	John Maſt of Beilheaven.
Pat: Cokburne youngar of Clerkingtoune.	Ja. Hay of Linplum.
	W. Burnside of Whitelaw.
Jo: Lauder younger of Fountainhall.	Ro: Sinclair of Longformacus.
	A. Osuald of Barnes.
Ja. Home of Gamilſheills.	Lod: Cant of Thurſtoun.
Richard Newton of Newton.	Wm Purves of Yowfoord.
Alexander Hay elder of Lethem.	A. Durhame of Luſnes.
Ro^{t} Hepburne of Keith.]	Geo: Halyburton of Egliſhcairnie.

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PETITIONS from the Shyres of Roxburgh Lanerk Stirling and Perth and from the Burghs of Haddingtoun Coupar & Dunbar all craveing that effectuall methods may be taken for aſserting and vindicating the Companies right to the Colony of Caledonia and relating to the other affairs therin mentioned being all presented by the Barons and Burgeſses representing the said severall Shyres and Burghs were all read.

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[PETITION the Heritors of Roxburgh.

TO his Grace his Majesties high Commiſsioner and the Right Honourable Estates of Parliament the humble Addreſse of the Shyre of Roxbrugh.

Representeth

THAT wheras his Majestie is graciously pleased to call together the present Parliament to consult and determine in all affairs tending to his Majesties honour and the good and advantage of this his antient kingdome, doe in all submiſsione repreſent to his Grace and Estates of Parliament the following particulars Primo That the Laws already made be put in executione for maintaining the poor in ilk Shire and reſtraining vagrant and idle persones and that effectuall methods may be fallen on for erecting publict houſes for that effect Secundo That the Kingdom may be eased in the number of the present standing Forces as ane unneceſsary burding in time of Peace Tertio The independance and soveraignty of this Crown be vindicate by some publict deed seeing the same hes been of late too much incroatched upon and insulted over on severall occasions Quarto That dew encouragement be given to trade by granting large immunities to manufacture the product of the natione both for our own use and for the service of our Collonie of Calledonia and for the export therof to other places Quinto That some speciall marke of favour and kyndneſs be conferred upon the Company tradeing to Affrica and the Indies wherby they may be enabled to Establiſh and Support ther Collonie of Calledonia as being that branch of our trade wherin the credite and intereſt of this whole natione is moſt univerſally concerned Sexto That the present diſsadvantage the natione lyes under by the French diſchargeing the import of our herring salmond coall &c. be taken into conſideratione Septimo That the present restraint upon the export of wooll be conſidered in such a way and manner as the same may redound to the univerſall good and benefite of the Kingdome.

May it therefore please your Grace and Honourable Estates of Parliament to fall on such suteable wayes remedies and means for ordering rectifieing and redreſsing the premiſes as in your wiſdoms shall be judged moſt proper and effectuall being what we humbly conceive moſt conduceing to his Majesties honour and greatneſs and to the credite interest and trade of this Kingdome in generall and to this our ſhire in particular.

	Roxburghe.
Ja. Pringle of Buckeholme.	William Kerr of Greenhead.
G. Rutherfoord Fairningtoun.	Walter Riddell of that Ilk.
Wm Elliot of Suinſyde.	Johne Scott of Aucrum.
Will: Eliot of Harwood.	W. Simpſon of Sharplaw provoſt of Jedburgh.
W. Chisholme of Stirkſhawes.	
Will: Ellott of Thorleſhope.	J. Jameſone of Heardrige.
John Sympſon Commiſsar deput.	Pat: Scott of Aucrum.
Wm Bennett of Grewbett.	T. Rutherfurd of Wells.
Ro^{t} Pringle of Cliſtoun.	And: Ker of Greenhead.
Jo: Pringle Advocat.	Wil. Kerr of Abbottreule.
Johne Ker of Frogden.	Pat: Murray of Cherrietrees.
Al. Don of Woodſyde.	Ja: Moreſon of Maſondeu.
Geo. Pringle baillie of Kelſo.	Fra. Gledſtains of Whitlaw.
Ar. Potts toun clerk of Kelſo.	Jo. Pringle of Stitchill.
Henry Liermont of Courtyett.	A. Don of Rutherfoord.
Wm Hood of Hurdlaw.	Ro^{t} Eliott of Midilmill.
Ja: Falay of Spitle.	Wm Ainſlie of Blakhill.
Archbald Bennett of Cheſters.	Gid. Scott of Falneſh.
Tho. Scott of Chappell.	Will. Scott of Thirleſtone.
Wa: Riddell of Newhouſe.	Ad. Scott of Burnſfoott.

27 May 1700.

Presented by Wm Bennet yor of Grubett Commiſsioner from the ſaid Shyre & read in Parliament.]

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[PETITION of the Commiſsioners of the Shire of Lanerk.

UNTO His Grace His Majesties High Commiſsioner and the Right Hono^{ll} the Eſtates of Parliament the Repreſentation of the Commiſsioners of the Shyre of Lanerk.

Humbly Sheweth,

THAT wheras we have for a considerable tyme eſsay'd to reſtrain idleneſs and begging within this Shire, and to provide for the poor in ane orderly way, according to Law. And haveing petitioned the Privy Councel in Aprile 1699 for removing of some difficulties particularly anent the tyme of reſidence that might entitle the poor to the Charity of any pariſh, and for ordaining severall other things requiſite for effectuating so laudable and neceſsary a work, upon which their Lo^{ps} iſsued out their proclamation anent the poor of the date the 15 day of Sepr 1699. Nevertheleſs all our endeavours have not hitherto had the deſired succeſs and effect. And that 1mo Becauſe legall methods have not so much as been attempted in moſt Shires of the Kingdom, nor strangers from neighbouring Shires reſtrained from comeing in upon us, neither hath any account been taken of the neglect or remiſsneſs of Sherriffs and other Magiſtrats in putting the Laws anent the poor to execution. 2do Becauſe notwithstanding of frequent repeated Laws with penalties for setting up correction and working houſes yet the same have hitherto been eluded, and no ſuch houſes are set up, whereby vagrants, lazy beggars, and perſons of uncertain birth or abode continue to be ane intolerable burden to the Countrey, As lykwayes that pariſhes sending such vagabonds to correction houſes are oblidged to pay with them 2 ſ. p day for the firſt year, which doeth generally incline people rather to let them alone, then to become lyable to ſuch a payment. 3° Becauſe ther is a daily encreaſe of the poor who want both mantinance and employment, not only throw the scarſity of the bypaſt years, but lykwayes by reaſon of the diſcouragment and decay of trade wherby the Nation is manifestly prejudged and keep't low, eſpecially by the preſent state of our French trade while we import their commodities, to the conſumption of our coine, and they refuse to receive our exported product, As alſo by the great diſcouragments our Manufactories and trading Companys have so frequently met with, and more particularly the Company tradeing to Affrica and the Indies.

May it therfore please your Grace, and Right Hono^{ll} Eſtates of Parliament to find out effectual means wherby the former good Laws made anent the poor may with due strictneſs be punctually put to execution and the Kingdom releived of growing beggary and idleneſs, To which as well as to the Nations wealth, freedom and honour, we humbly conceive nothing can contribute more than that the Nations right to their forrain plantation in Caledonia be aſserted and vigorously supported, that improving of land, free tradeing and Manufactories be encourag'd and endued with all neceſsary priviledges and immunities, that the product of the Nation be manufactored at home, and prepared for the uſe of the Nation, the ſervice of their Colony, and other export, and that all forrain trade which is found prejudicial to the Nation may be prohibited. Signed by warrant and in presence of the Commiſsioners this seventh of May 1700 At Hamilton by J. Hamilton. I. P. C.]

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[PETITION the Heritors of Stirline.

UNTO His Grace His Majesties High Commiſsioner and the Right Honourable the Estates of Parliament the Representation of the Heretors of Sterlingſhyre.

Humbly Sheueth

THAT wheras by the generall calamity in all places of the Kingdome, through the unuſuall scarcity by very bad crops, and the sensible decay of trade both at home and abroad many are reduced to extream poverty, the woefull inſtances of which are too evidently seen amongſt us by the great multitudes of our poor people, whom, notwithſtanding the severall laudable acts to that purpoſe, we can neither make any wayes subſiſt nor yet repreſs their dayly encreaſing numbers, And seing nothing can more effectually contribute to the preventing the nations sinking under its preſent miſeries & burdens than the encouradging manufactories at home, and laying doun methods for improving our foreign Trade to the best advantage that soe the wealth of the Nation may encreaſe and the multitude of poor people may be imployed profitably, both which ends, we humbly conceive can be moſt succeſsfully obtained in the vigourously maintaining and effectually supporting of the Company trading to Africa and the Indies, and their rightfull and laufull Settlement in Caledonia, the doing of which, the Honour of this Nation which seems to be attacqued and soe much encroached upon by the repeated discouradgements and obſtructiones that Company hes met with, does soe loudly call for, and the Intereſt of this Nation which can be moſt readily promoted by the advantages ariſing from such a foreign Settlement does soe preſsingly requyre.

May it therfor pleaſe your Grace and the Right Hono^{ll} the Estates of Parliament to take the premiſses to your serious consideration and to find out effectuall methods for encouradging manufactories at home, and promoting of trade abroad and in a special manner for vigourouſly supporting the Company trading to Africa and the Indies, and their Colony setled in Caledonia, that soe the Honour and Independance of this Nation may be clearly vindicate and aſserted and the Intereſt of the whole Kingdome in that Company may be fully secured and provyded for, and that the poor may be profitably imployed, which we hope will put an end to the calamities and burdens which we have hitherto undergone, and which will probably encreaſe if speedy and effectuall remedies be not applyed.

A. Napeir of Bankell.
W. McLauchlane of Auchintroige.
J. Grahame younger of Meikle-wood.
A. Riedie portioner of Carbeth.
J. Harvie of Blakhous.
Mr Jo^{n} Wingat of Chartershall.
John Buchanan of Carbeth.
Geo: Buchanan of Ballachruin.
M. Buchanan of Cremanan.
John Græme of Killearne.
Jo: Grahame you^{r} of Killearne.
Georg Buchanan of Garcabir.
Eduard Buchanan of Spitall.
M. Ja: Craig Dalnair.
A. Rowane Boqu^{k}.
Wm Craig yor of Dalnair.
Ro^{t} Rollo of Pouhous.
Ja: Shaw of Dalquhairne.
Hind: Hunter of Kirktoun.
Hugh Forsythe of Garvell.
J. Rankine of Bamulyear.
Jo: Cuthill of Stainywood.
W. Bruce of Stenhouſe.
Mich: Livingstone of Bantaſken.
Jo^{n} Burne of Lairbert.
Alex^{r} Broun of Bromage.
Will. Dundas of Airth.
Jo. Cuninghame of Bandallich.
Charles Row of Inuerallan.
Jo. Cunynghame of Caddell.
Tho. Nicolson.
W. Levingston of Kilsyth.
John Williſone of Lochend.
Wm Buchanan Auchmar you^{r}.
J. Buchanan Spittell you^{r}.
W. Buchanan of Balfuning.
. . Buchanan of Arnpryre.
A. Buchanan of Drumakill.
D. Buchanan of Harperstoun.
R. Gourlay of Kipdarach.
D. Grahame of Meickilwood.
G. Stirling of S . . . .
Jo: Callander of Cregforth.
Alex^{r} Nairne of Greenyards.
Ro: Murray of Levelandes.
Jo. Murray of Touchadam.
J. Patersone of Bannockburn.
Jo: Glas of Sauchie.
John Wordie of Torbrex.
Jo. Wordie of Whythill.
Adam Campbell of Gargonnock.
W. Leckie of Deſchers.
Jo: Wordie of Campusbarrone.
Alex^{r} Leckie Ardnmore.
William Buchanan of Ballat.
An. Buchanan of Ballachnech.
Walter Leckie of My
J. Buchanan of Craigtoun.
Patrick Buchanan of Weſter Ballat.
G. Stirling of Hearbertſhyre.
Ja: Græme Buchlyvie.
Wm Stirling Herbertſhyre yor.
Ja. Edmonstoune of Broych yor.
Da. Forrester of Bankhead.
J. Buchanan of Carbeth y^{r}.

J. Kincaid of that ilk.
Ja. Kinkaid of Achinreogh.
Patrick Bell of Auchtermony.
M. Stirling of Craigbarnett.
Ja. Stark of Drumſtemy.
Ja: Cornwall of Bantone.
Alr. Lwik bailly.
Allexr Kincaid brother to the Laird of Kincaid.
M. Stirling of Glorett.
Hew McFarland.

27 May 1700.
Read in Parliament.]

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[PETITION the Heritors of Perthshire.

UNTO His Grace His Majesty's High Commiſsioner and the Right Honble the Eſtates of Parliament The Repreſentation of the Heritors of Perthſhyre.

Humbly Sheweth

THAT we haveing these several years past suffered extreamly, by the Callamities of War and lykewayes by very bad Cropts, which has reduced many of our people to the last degree of poverty; and besides those which we have had in common with other places in the Kingdom we have been and are still expoſed to inconveniencys (which are peculiar to those who live upon the borders of the Highlands) continuall Murders, Robberies and Depredationes which have brought many who might have wreſtled with their other dificulties to such a condition that our Countries are now become Desarts and lye absolutely waste.

All these Callamities we suffered without complaining dureing the War and contributed our shares both of Men and Money for the support and mentainance of it hopeing that Peace would put ane end to these our miseries.

And being sensible that nothing could conduce more to the flourishing of our Nation and to relieve us under these hard circumstances to which we are reduced then the advancement of Trade, we no sooner had the Encouragement of his Mäties gracious promiſes, Acts of Parliament, and Letters Patents, for enableing the Nation to cary it on but to demonstrate our Zeal for the weell of our native Country we closed with theſe proposalls which were made for opening of trade to Africa and the Indies and contributed to the outmost of our powers for carying on soe good and great a work; what has been the hinderances and obstructions to that trade we think it unneceſsary to trouble your Grace and the Honble Estates of Parliament with, these being so weell known to his Mätie and to the Honourable Estates of Parliament by the several Addreſses, Petitions and Representations made by the Councill of the Company tradeing to Africa and the Indies.

And seing we have his Mäties repeated promises for encouraging of trade, as alſoe his Letters Patent and Acts of Parliament Establishing the African and Indian Company; And lykewayes the addreſs of the last Seſsion of this Parliament, to his Majesty in favours of the said Company, as alſoe his Mäties gracious acceptance of our late Petition for the Meeting of the Parliament, wherin his Mätie expects that the sentiments of this Nation as to the African and Indian Company will be known, from all which we are encouraged to Intreat.

That it may please your Grace and the Right Honble the Estates of Parliament, to take the premiſes to your serious conſideration, and to find out effectuall methods for aſserting the Honour and Independency of this Kingdom which our prediceſsors have hitherto mentained for so many ages, and which now seems to be soe much incroacht upon by the repeated and great Discouragments to our rightfull and lawfull Collony of Caledonia, as alsoe to take proper meaſures for imploying of the poor and freeing the Country of stealing and oppreſsion; and that now in the time of Peace we be eased of the great and heavy burdens we lye under.

Ar Blair of Inchyra.
Geo. Olyphant of Claſsenne.
Jo. Nairn of Seggiden.
Sr Al. Lindſay of Evlick.
Wm Lindſay of Kilſpindie.
Jo. Bruce of Blairhall.
Da. Threipland of Fingaſk.
G. Fotheringhame of Bandene.
Tho. Mylne of Mylnefield.
Hew Crawfurd of Monorgon.
Pe: Hay of Leyes.
Tho. Turnbull of Bogmilne.
Al: Mikeſon of Hill.
Ja. Murray of Glencarſs.
Ja; Steuart of Ladyuell.
Thomas Stewart of Stentone.
Gilb: Greig of Hawchead.
A. Spalding of Eſsentille.
Robertſone of Daltharney.
Leo: Roſone of Straloch.
P. Small of Dirnanean.
Wi. Farqrſone of Tonie.
John Robertsone of Crag.
John Roſon of Bletoune.
. . . Spalding of Whythouſe.
Alexr McIntoiſhe of Comes.
Johne Bruce of Dalnabroik.
Ale. Robertſone of Inuerchroſke.
W. Roſone of Dounie.
Patrick Rattray of Perſe.
James Murray of Kindroyan.
Alexr Murray of Soylerie.
Alexr Ayſane of Beluntume.
John Robertſon of Ennoch.
Alexr Ayſſon of Ballmill.
Jo: Doulich of Markland.
Duncane Robertſone of Stroneye-muk.
Do: Roſone of Coltalonie.
Thomas Zoung of Stralochie.
Tho: Rattray of Midlgourdie.
Ja: Biſsatt of Fardill.
Tho: Brydie of Milnhill.
James Patton of Rewſal.
James Sken of Snagou.
Ja: Murray son to the Marques of Atholl.
Ja: Stewart of Kincraigie.
Pat: Ferguſone of Pitſourie.
Cha. Stewart of Balechin.
Jo: Steuart of Daleguiſs.
Adam Reid of Pitnacrie.
John Stewart of Clochfelich.
To: Flemyng of Moneſs.
J. Stewart of Foſs.
J. Balneavis of Crunane.
Jo: Steuart of Carnoch.
A. Roſone of Tenendrie.
Jo. Robertſone of Belnacraige.
Donald Stewart of Duntaulich.
Jo. Robertſone of Lude.
D. Robertsone of Achleiks.
Ja. Stewart of Wrrard.
Jo. Stewart of Bonglered.
Donald Stewart of Tailich.
Pa: Robertſone of Blairfettee.
Tho: Butter of Kynhair.
A. Roſone of Kincragie.
Alexr Steuart of Balnabroc.
John Robertſon of Dormonin.
Alexr Stewart of Orchellbeg.
Johne Roſone of Pitagown.
Gilbt Steuart of Funcastle.
James Stewart of Terreglas.
Duncan Steuart of Pittinacie.
Al: Robertſone of Faſkeile.
W. Steuart of Clunye.
James Ferguſsone of Dunfallandie.
Pa: Butter of Pitclocherie.
Donald Roſon of Killchowie.
Jo: Robertſone of Lettoch.
Allexr Ferguſson of Bellet.
Finlay Ferguſsone of Bellemond.
Jo: Stewart of Belnakillie.
Jo: Cuniſon of Belnacrie.
John McLaren of Dallſhiane.
John Stewart of Terwie.
Donald Stewart of Balintun.
Johne Camrone of Dunivord.
Tho. Mengeis of Pittarah.
Sr P. Moray of Ochtertyr.
Tho. Blair of Balthayk.

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P. Farqrſone of Rochallie.
W. Henderſone of Halyeards.
T. Nairne of Dunſinnan.
Da. Ogilvy of Dromkilboe.
James Laird of Tempalhal.
Al. Laird fieer therof.
A. Græme of Jordanſtoune.
Ja. Ogiluy balyie of Blyth.
James Niuen hearter pr.
John Jowlliey pr.
N. Rolland pr.
Hvgh Vchion pr.
John Johnſtown pr.
John Ogilvy pr.
William Dick pr.
Thomas Johnſtone of Millenhag.
Lachlan Rattray of Droumtourne.
Jo: Grahame of Potento.
J. Rattray of Dremund.
Da: Rattray of Runnagullian.
Ja: Ramsay of Bamffe.
Jno Ogilvy Bailiff of the Regality of Coupar.
Ja: Bruce, M. D.
J. Brysson of Lochblaire.
Da: Lyon of Banchrie.
Fra: Drummond of Halholl.
Wm Henderſon fiear of Halyeards.
Ja. Whitsone of Mudhall.
Jo. Crichton of Burnſide.
Geo: Wightaine of Boghall.
Ja: Simſon heretor in Coupar.
William Eduard of Burnsyde.
Thomas Brwce por in Couper.
P. Gruntone of Newbiging.
Androw Malice of Soutarhouse.
F. Sanders of Drumfogud.
Alexr Campbell of Dubhall.
Gil: Robertson of Drumlochy.
D. Dampbell of Kethick.
H. Smyth of Camno.

Alexr Hering of Callie. Ja: Blair of Glaſclune.
Jar Jack of Templeland of Blair. Jo. Ramſay of Tillineddies.
A. Robertſone of Craige. Pa: Kinloch of Gourdie.
Ja: Blair of Ardblair.

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W. Stirling of Ardoch.
Jo Drummond of Pitkellonie yr. J. Grahame of Orchill.
Alexr Graliame of Duchray. Geo: Græme of Inchbrakie.
Ja. Grahame of Gartur. Jo: Græme of Abruthven.
A. McFarlane of Gartartane. Ar Paterson Godocheid.
Wa. Grahame of Drunkie. An: Leckie of Ardenſinlay.
Pa. Forrester of Polder. Ja: Muschet of Craigheid.
Jo: Monteath of Kepp. Will: Govane yor of Boquſt.
Pa. Muschett of Callgiechatt. Ja: Muschett of Milegedie.
A. Bwchanan of Torrie. Ja: Smyth of Banindornick.
Jo. Campbell of Torrie. J. Pearson of Kippenros.
Alexr Stewart Craigtoune. A. Drummond of Balhaldies.
Ro. Grahame Shenachill. John Grahame of Damſyde.
James Burdoun of Feddall. Ja: Fentone of Mylnearn.
Ja: Drumond of Comrie. W. Grahame of Gartur.

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J. Haldane Gleneagles.
Wm Futt of Achlenſky. Jo. Futt Glenſherop eſter.
Andro Futt of Glenqwoy. Wil: Flockhart of Whytehilles.
John Alexander of Dounhill. Will. Futt Glenſherop weſter.
Jo: Haldane of Lanrick. J. Haton of Midelbellilisk.
Harie Haliday of Weſtertoun. Alexr Mercer of Mukcart Mill.
Adam Hwtton of Pitgober. John Huttoun Balilisk eſter.
Andro Vander Ester Pitgober. J. Mercer of Hillhead.
William Paton porsener of Pitgober Wm Grahame Orchill yor.
Androw Kirk portener of Blearhil. Ja. Pearſone at the Newmile.
Alexander Gib of Caſtaltown. R. K. of Coulſknoue.
Adam Futt of Dounhill. Thomas Young of Markingh.
Archibald Fiſher of Nevmill. John Scotland of Dolarebeyg.
J: Dryſdaill of Borland. Josy Patoun of Caudoun.
D. Haldane of Ladriſhmore. Jo: Hutton of Weſter Beleliſk.

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Ja: Cræme of Garvock.
M. Maxton of Cultoquhey. T. Græme of Balgouane.
P. McCara of eaſter Drimie. Alexr Ireland of Drinaſy.
Ro: Peirſon of Clow. Pat: Gray of Lednoch.
L. Oliphant of Condei. Jo: Tyrie of Buſbie.
Mr Robert Roſs of Inuernethie. Da: Drummond of Cultemalindie.
George Baluaird of Balumil. D. Carmichael of Ballmadie.
Jo. Douglas of nether Pittcurrine. J. Blair of Corbs.
Androw Wemes of Cruſland. Pat: Roſs fiar of Inuernethie.
Androw Comb of Drummore. Lam: Craigie of Kilgraſtoune.
Jo. Arnot of Pitgounyie. Pat. Grant of Bonhard.
Jo. Stewart of Inuernitie. Colin Campbell of Lochlane.
Wm Oliphant Gask. George Drummond of Callander.
Jo. Drummond of Culquhalie.] Will. Murray of Ardbeanie.

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[ADDRESS and Petitione the Toun and Council of Hadingtoun.

TO his Grace his Majeſties high Commiſsioner and Right Honourable the Estates of Parliament the humble Addreſs and Petitione of the Magiſtrats and Toun Councell of the Burgh of Hadingtoun in name of the communitie theirof.

THAT wheras eſter a long and expenſive Warr we expected to have injoyed the bleſsing of a happily concluded Peace by the reeſtabliſhing of our forraigne trade encouraging of home manufactures imploying of the poor in the improvement of our native product and the leſsening of our publick burdens.

But inſtead theirof to the unſpeakable loſs and allmoſt ruine of the Nation we find our trade abroad ſenſibly decayed and our coin carried out by the importation of commodities from places where ours are prohibited our woollen and other manufactories at home by the ſame means and the remiſsnes of Magiſtrats in putting the Laws in dew executione receave not that incouragment which the intereſt of the countrey requyrs wherby our poor are neither maintained nor imployed as they might otherways be and more eſpecially our company trading to Affrick and the Indies meets with so much oppoſition from abroad and gets so little support at home that eſter so great a loſs of men and expence of treaſure their ſettlement in Caledonia may now too probably a ſecond tyme fall under the ſame unlucky circumſtances as at firſt if not prevented.

And albeit the Commiſsers of the Army by Law are obleidged to keep magazins of corne and ſtraw for the dragouns or elſe to pay the current rates of the countrey that corne and ſtraw gives for the tyme Yet theſe three years bygone so great and heavy have our burden been that when the ſaids dragouns wer in marching throw this burgh to and from Langtoun parks that the ſaids Commiſsers neither keeped any magazines of corne and ſtraw nor payed our people the current rates of the countrey theirfor And our people were neceſsitat to furniſh the ſaids troups of dragouns at the ſaids Commiſsers rate which wes only fyve ſhilling ſcots for each horſe per night as declarations under the hands of the severall officers of the reſpective troups given to our Commiſsioner will teſtifie wheras our burgeſses and inhabitants could not furniſh ilk dragouns horſe a night corne and ſtraw under ſixtien ſhilling ſcots wherby our people wanted elleaven ſhilling ſcots of value of corne and ſtraw to ilk dragouns horſe in the night.

And yet eſter all theſe hardſhips which the Nation groans under numerous forces are ſtill kept on foot whill our much wealthier neighbours are diſbanding which occaſions now in tyme of Peace heavy and unneceſsary taxes.

All which misfortouns and other calamities which of late have befallen us we cannot but look upon as the effects of the diſpleaſure of Almighty God for the great immoralities that every where abound amongſt all ranks and degrees of men to the diſhonour of God and our Holy Religion and debauching the spirits and corrupting the maners of people.

May it theirfor pleaſe your Grace and the Right Honourable the Eſtates of Parliament to take ſome effectuall courſe for the crubing of vice and putting in execution the many laudable Laws for the maintaining and imploying the poor that they may be uſefull and not burdienſom to the Kingdom And for incouradgment of our manufactures at home and carrying on our trade abroad with advantage to lay on ſuch impoſitions on the branches of our import as may overballance our export and particularly that of France And to aſsert the Indian and African Companies right to their Colony of Caledonia which hes been and ſtill unjuſtly is called in queſtion And to give such support to it as may encourage the adventurers to goe on with ane undertaking which if vigorouſly perſewed may so much tend in the future to the wealth honour and intereſt of the Nation and to relieve our countrey of so great a number of forces every way so uneaſie to the people And in lieu theirof to fall upon ſuch other methods for ſecurity of the peace and support of the Government as may be more for the intereſt of the Kingdom and more conſiſtent with the Liberty of the Subject And to lay doun courſes how our people may be reimburſed be the Commiſsers of the Army for furniſhing corne and ſtraw to the ſaids dragouns And to ordain the ſaids Commiſsers to pay the ſame at the current rates of the countrey And your petitioners ſhall ever pray.

Jo. Young. Jo. Robertſon bly.
Alexr Miller. Rot Gray Baillie.
J. Robertſone. William Hay Baillie.
John Anderſon. And: Gray D:G.
John Jack. William Baighie.
George Young. Da: Forrest.
Charles Herit. Ri. Millar.
Wm Anderſon. Tho. Reid.

27 May 1700.
Read in Parliament.]

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[ADDRESS from the Burgh of Cupar.

UNTO His Grace the Duke of Queensberrie His Majesties High Commifsioner and Right Honorable Eftates of Parliament The humble Addrefs and Petitione of the Magistrats and Toune Councill of the Burgh of Cupar in name of the Community.

Humblie Sheueth

THAT where after the concluſione of a happy Peace we hoped to have enjoyed the fruits therof by encouraging not only of forraign trade but feveral kinds of Manufactories at home whereby the poor of the Natione might have been employed to improve the naturall product thereof Yet inſtead of theſe bleſsings we are extreamly ſenſible not only of the decay of forraign trade by the prohibitione of our export almoſt every where especially in the Kingdome of France But that our natione is in a great meaſure drained of current coyne by the forsaid prohibitione abroad And by the heavie ceſs and taxes imposed for mentaining a ſtanding army at home now in time of Peace And amongst the reſt of our misfortunes we cannot but be ſenſible of the frequent diſcouragements our Colony of Caledonia has been tryſted with notwithſtanding of a plane Act of Parliament and his Majesties Letters Patent in their favors.

May it therefor pleas your Grace and the Right Honorable Estates of Parliament to prohibite all ſuch forraign trade as in your profound wiſedoms yow ſhall think prejudiciall to the trade of the Natione fall upon ſuch meaſures as yow ſhall think fit for emproving manufactories and the right employing of our poor eaſe the countrey of the burthen of ſo many forces now in time of Peace protect and aſsiſt our Colony at Caledonia repair their loſs and aſsert the nations priviledges And your petitioners ſhall ever pray &c.

	J. Malcolme baillie.
William Greig Conſr.	Da. Malcolme bailzie.
David Sibbald Conſr.	Henrie Spens baillie.
Wm Chriſtiſone Counſull.	And. Rutherfurd Thesr.
George Clephane Conr.	D. Andersone Clr.
.... Niulands conuener.	Jo. Bayne Den of Gild.
.... Birrell decane.	La. Schaw Conſul.
.... Smith decon.	A. Clephane Concr.
.... Davidſone decon.	Peter Birrell Conſwr.
.... Greig decoun.	Ja. Hepburne Conr.
..... fyd deacon.	John Mair Conlr.
.... Baldy deacon.	And: Boyers Conr.
.... Drydall deacon.	Geo. Pearſon Conr.

27 May 1700.
Read in Parliament.]

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[PETITIONE the Toune of Dunbarr.

TO his Grace his Majesties high Commiſsioner and Right Honourable the Estates of Parliament The humble Addreſs and Petition of the Magistrats and Toun Counſell of the Burgh of Dunbar, for and in name of the Community therof.

THAT wheras after a long and expensive warr we expected to have enjoyed the bleſsing of a happilie concluded Peace, by the reestablishing of our forraign trade, encourageing of home Manufactures, imploying of the poor in the improvement of our native product, and the leſning of our publict burdens.

But instead therof to the unspeakable loſe and almost ruine of the Natione, we find our trade abroad sensiblie decayed, and our coyn caryed out by the importation of commodities from places wher ours are prohibited. Our woollen and other Manufactures at home by the same means and the remiſsnes of the Magistrats in putting the Laws in due execution, receave not that incouragement which the interest of the countrey requyres wherby our poor are nather mentained nor imployed as they might otherwayes be And more especially our Companie tradeing to Africke and the Indies, meets with so much opposition from abroad, and gets so little support at home, that after so great a loſs of men and expenſs of treasure ther Settlement in Caledonia may now too probablie a second tyme fall under the same unlucky circumstances as at first if not prevented.

And yet after all thes hardships, which the Nation groans under numerous forces are still keept on foot whill our much wealthier neighbours are disbanding, which occasions now in tyme of peace heavy and unneceſsary taxes.

All which misfortunes and other calamities which of late hes befallen us, we cannot but look upon as the effects of the displeasure of Almighty God for the great immoralities that every wher abound amongst all ranks and degrees of men, to the dishonor of God and our Holy Religion, and debauching the spirits and corrupting the maners of people.

May it therfor please your Grace, and the Right Honorable the Estates of Parliament, to take some effectual course for the crubing of vice and put in execution the many laudable Laws for the mentaining and imploying the poor, that they may be usefull and not burdensome to the Kingdome, And for the encouragement of our manufactures at home, and carying on our trade abroad with advantage to lay on such impositions on the branches of our import as may overballance our export, and particularly that of France, And to aſsert the Indian and African Companies right to ther Colony of Caledonia which hes been and still unjustly is called in question And to give such support to it, as may encourage the adventurers to go on with ane undertakeing which if vigorously persewed may so much tend in the future to the wealth, honor and interest of the Nation, And to releive our country of so great a number of forces every way so uneasie to the people, And in liew therof to fall upon other methods for securitie of the peace and support of the Government as may be more for the interest of the Kingdom and more consistent with the liberty of the Subject.

Jo. Ferguson counceller.	Ro: Kellie baillie.
William Yooll counſler.	Robert Kirkwood baillie.
John Storie counceler.	T. Brysone baillie.
Nicoll Kellie councr.	And: Purves thesr.
Jo. Lellie counſeller.	W. Bryſſone counſeller.
James Cockburne counceller.	Jo: Kellie counſeller.
Robert Deans counſller.	John Turnbull counceller.

27 May 1700.
Read in Parliament.]

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A COMPLAINT made of certain abuses and depradations committed by John Bartier and Carletoun Captains of two Engliſh ſloups upon the houses and boats of some of the inhabitants of Wigtoun and on the Barks and Ships anchoring in Lochrian And the depoſitions of some witneſses taken before the Sherriff of Wigtoun for verifieing the Complaint being produced and Read were ordered to lye on the table.

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[DEPOSITIONES anent Bartyr & Carletoun.

Stranraver the fyftine day of May 1700 Shireff Court holdine be James Agnew yor of Lochnaw Shireff of Wigtoun The whilk day anent the abuſses committed be John Bartire Capt of the Prohibition Sloup of London & Carlletoun Capt of the Shark Sloup.

COMPIRED in pñce of the ſaid James Agnew Rot Campbell in Cladahous of the adge of fourtie yeares or therby solemlie ſuorne and interrogat Depones that ther cam aſhore in the moneth of Jay laſt from aboard the ſaid John Bartires Ship to the

number of fourtine men or therby acumpanyd be one Mr McGrigour who they tearmed ther Livetenent, and named so and haveing tacken a turn on shore they thereſter cam and invaded the deponents hous and abuſed some companies that wer in his hous and knoked a pairt of them doune to the grund with ther boat heukes & cudgells and run in a maner mad throw the wholl hous and threatned to burn the hous and indevored the same had they not bein hindred by a souldier that wes accidentallie in the hous And farder declares that they drank a great daill of aill and bear & wold not pay a fartheing, And farder depones that the said Capt Bartire did saiſs vpon a boat belonging to the Laird of Dunſkey goeing with a let pas from Portpatrick to Glaſgow with furniture and provyſiones for Dunſkeys uſe and did deatean the boat above a fortnight notwithstanding of the let pas till James Dalrymple Dunſkeys ſone in law caried aboard a preſent of brandie And farder depones that the said Capt Bartire by himſelf & men did ſearch all shipes barks or boats that came to anchor within Lochryan upon qch Mr Wm Fullarton Collor did send Andro Young a waitter with a letter to him who wold not anſuer his letter by wryt bot returned hectoreing and abuſive language And lykwayes depones that Carletoun Capt of the Shark Sloup did ſearch all barks boats and ships that came to Lochrayan and anchored and particularlie one Mr Watſone who came with his ship straight from Canaries without tucheing at Irland and did take tuo hundreth ells ſcots cloath qch the waitter did atteſt to be Scots cloath and that it nieded no coquet he being aboard and to goe by the Collors order to Clyd in the ſhip and that the ſaid Carletoun did deatean the ſaid Watſone & his ship till he gave him a complement of tuo or thrie duzan Canarie bottles & some lymones And also declares that the ſaid Captain Carletoun did stay some nights a shore & gave comand to his men to ſearch all boats barks or shipes that came to anchor in Lochryan And this is the treuth as the deponent shall anſuer to God qch is ſubt be him the ſaid James Dalrymple & waitter.

Ja. Dalrymple. And. Young waitter. Robt Campbell.

John Hannay in Cladahous of the adge of tuentie tuo or therby solemlie ſuorne and interrogat Depones in everie word and circumſtance both as to Capt Bartir and Capt Carletoune as the within deponent Robert Campbell doeth with this addition that the ſaid Bartires men fell upon himſelf & had almost murdred him And this is the treuth as the deponent shall anſuer to God.

John Hannay.

Jon Campbell one of Capt Agneus troup of the Royall Regment of Dragoones adged thretie yeares or therby ſuorne and interrogat Depones in omnibus as the said Robert Campbell & John Hannay doeth and addeth also that the ſaid Capt Bartires men, who invaded Robert Campbells hous, fell upon him and had werie near murdred him And this is the treuth as the deponent shall anſuer to God.

Ita est Joannes Dunbar notarius pūs in premiſſ de mandato dict Joannis Campbell ſcribere neſcientis requiſitus subt.

J. D. N. P.

William Wilsone merchant in Stranr adged fourtie eight or therby ſuorne and interrogat Depones that the within number of men or therby from aboard the ſaid Capt Bartires Sloup cam aſhore in Janry laſt and wer in Cladahous within clouds of night werie abuſive to the hous and some civell Companies that wer in the hous at the tyme and that he did hear one of Capt Bartires men call upon the other to fell or knok them doune to the grund for they are non of our men and come and let us set fyre to the hous And this is the treuth as the deponent ſhall anſuer to God.

William Wilſon.

15 May 1700.

THE within & above witneſses did depone conforme to ther within and above written Depoſitiones signed be them befor me.

J. Agnew, Sheriffe.

27 May 1700.

Read in Parliament.]

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MOVED that there be an Reſolve of Parliament That our Colony of Caledonia in Darien is a legall and rightfull Settlement in the terms of the Act of Parliament 1695 and that the Parliament will maintain and support the same and that there be an Act brought in the nixt Sederunt accordingly Which motion being produced in wryteing was read.

THE Committy for Security ordered to meet to morrow at ten of the clock.

THE Lord Chancellour by order of His Majeſties high Commiſsioner adjourned the Parliament till Thurſday nixt at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday 30 May 1700.

PRAYERS said Rolls called.

THE Lord Roſs proteſted againſt the calling of the Lord Elphingſtoun and all other Lords ranked befor him in the Rolls of Parliament.

THE Earle of Caſsills being abſent the two laſt Seſsions of Parliament signed the aſsociation.

THE Earle of Kellie and Viſcount of Strathallan took the oath of alleadgeance and ſigned the ſame with the aſsurance and aſsociation and took the oath of Parliament.

Sir Alexander Murray of Blackbarrony one of the Barrons repreſenting Peibles and Sir John Arſkine of Alva for the Shyre of Clackmannan took the oath of alleadgeance & ſigned the ſame with the aſsureance and aſsociation and took the oath of Parliament.

Walter Stewart Commiſsioner for the Burgh of Linlithgow took the oath of alleadgeance and ſigned the ſame with the aſsureance & aſsociation and took the oath of Parliament.

MOVED that Patrick Murdoch Commiſsioner for the Burgh of Whythorne who was absent the two laſt Seſsions of Parliament be now admitted to ſigne the aſsociation and that notwithſtanding of the new Commiſsion granted by the sd Burgh to David Stewart of Phiſgill and the ſame aggried to, & he ſigned accordingly.

HIS Grace his Māties high Commiſsioner made a ſpeech to the Parliament.

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[THE Speech of his Grace James Duke of Queenſberry, his Majeſties high Commiſſioner to the Parliament, the 30 of May when adjourned to the 20 of June.

My Lords and Gentlemen,

I AM Troubled with ſuch a Cold and Hoarſneſs, that not being able to Speak much, nor in a Condition to ſtay any time here; I ſhall therefore only tell you, that as I was ever Firm and Faithful to my King, ſo I was ever Zealous for the Honour and Intereſt of my Countrey: And at this time I hop'd to have done Acceptable Service to both. For I can boldly ſay, that I have Power and Inſtructions, for every thing that appear'd Neceſſary or Convenient for the Good and Advantage of the Nation, as to their Religion, Property, Liberty, Trade, and particularly what could be of moſt ſolid Uſe to our African and Indian Company. But ſeveral things have occurr'd, wherein I find myſelf oblig'd to Conſult His Majeſty, and ſo of neceſſity muſt Adjourn for ſome Days.]

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THE Lord Chancellour by order of His Māties high Commiſsioner adjurned the Parliament till Thurſday the Twentieth of June nixt at ten a clock in the fornoon.

MARCHMONT Cancellar. I. P. D. P.

MINUTES OF THE PARLIAMENT OF KING WILLIAM, HOLDEN AT EDINBURGH OCTOBER XXIX, M.DCC.

Tuesday October 29. 1700.

PRAYERS said.

THE Kings Commiſsion to James Duke of Queensberry to be His Majesties High Commiſsioner to this current Parliament, Read.

ROLLS called.

Sir James Stewart His Majeſties Advocat and Sir Robert Stewart Commiſsioner for the Burgh of Northberwick excuſed by His Grace His Majeſties Commiſsioner in respect of their indiſposition.

THE Marques of Atholl being abſent ſome Seſsions of Parliament signed the aſsurance and aſsociation.

THE Earls of Rothes and Dalhouſsy took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

PATENT creating Archbald Primroſe of Dalmeny Viscount of Roſeberrie read and ordered to be recorded.

THE Viscount of Roſeberrie and Lord Reay took the oath of alleadgeance and signed the same with the aſsurance & aſsociation & took the oath of Parliament.

Robert Dundas of Arnieſtoun one of the Commiſsioners for the Barons of the shyre of Midlothian John Haddan of Glenaigles for the shyre of Dumbarton Mr John Stuart younger of Blackhall for the shyre of Renfrew Sir John Shaw of Greenock for the shyre of Stirling and Hugh Roſe of Kilraik for the shire of Nairn all new elected took the oath of alleadgeance signed the same with the aſsurance & aſsociation & took the oath of Parliament.

Walter Scot Commiſsioner for the Burgh of Jedburgh newly elected took the oath of alleadgeance signed the same with the aſsurance & aſsociation and took the oath of Parliament.

THE Earl of Breadalbain and Sir Alexander McKenzie of Coull being abſent some Seſsions of Parliament signed the aſsociation.

A LETTER from His Majeſty to my Lord Commiſsioner appointing the Lord Montgomery to sit and vote in this Seſsion of Parliament as Lord High Theſaurer, read.

A LETTER from His Majeſtie to my Lord Commiſsioner appointing the Viscount of Seafield principall Secretary of State to sit and vote in this Seſsion of Parliament as Lord Secretary, read.

THE Viscount of Seafield Lord Secretary took the oath of alleadgeance signed the same with the aſsurance and aſsociation & took the oath of Parliament.

IT being objected that the Lord Montgomery not being ane Lord of the Theſaury could not sit and vote in this Seſsion of Parliament as Lord High Theſsaurer notwithſtanding of His Majeſties Letter for that effect, And after produceing of the Records and reading of the Declaration made by King James the Sixth in the Parliament 1617, anent the Officers of State the objection was let fall and yᵗelded and his Lordship did take the oath of alleadgeance signed the same with the aſsurance & aſsociation & took the oath of Parliament.

THE Kings moſt Gracious Letter to the Parliament presented by His Majeſties High Commiſsioner, read.

THEN His Mäties High Commiſsioner made his Speech to the Parliament.

THERAFTER the Lord Chancellour made his Speech to the Parliament.

A MOTION being made for printing his Majeſties Letter to the Parliament and his Grace the Commiſsioners Speech and the Lord Chancellours Speech, the ſame was ordered accordingly.

. . . . . .

[THE Speech of James Duke of Queensberry, &c. His Majeſties high Commiſſioner to the Parliament of Scotland, on Tueſday the Twenty Ninth Day of October, 1700.

My Lords and Gentlemen,

AT our laſt Meeting, I told you that I was inſtructed by His Majeſty in every thing that could appear neceſſary or convenient for the intereſt of this Kingdom, and of ſolid uſe to the Indian and African Company.

You have ample aſſurances renewed to you ſince that time, that His Majeſty retracts nothing that was then deſigned for the welfare and ſatisfaction of His People, as He has plainly expreſt in a Letter to His Privy Council, * publiſhed by His ſpecial Order,

* WILLIAM R.

RIGHT trustie and entirlie beloved Cousin and Councellor, Right trustie and Right well beloved Cousin and Councellor, Right trustie and well beloved Cousins and Councellors, Right trustie and well beloved Councellors, and trustie and well beloved Councellors, We Greet you well. We heartilie wish that the last meeting of Parliament had proceeded so, as that the Kingdom might have been made partakers of these advantages for which our Commissioner was so fullie instructed, If it had been possible for us to have agreed to the Resolve offered to assert the right of the African Companies Colonie in America, tho that method had appeared to us more unnecessarie, yet We had from the beginning readilie done it, at the earnest desire of our Ministers, and for our Peoples satisfaction all other considerations sett apart, But now that things are much changed (wherin We are truelie sorrie for the Nations loss) And We being most willing to grant what may be needfull for the releif and ease of the Kingdom and the advancement of its weelfare in all its concerns We have thought fitt to declare this our good mind to be made known to all our

that all His Majeſties good Subjects might have the advantage to underſtand, and leaſure to reflect and conſider on the preſent ſtate of Affairs, and that you might come together with a cheerful diſpoſition, to give His Majeſty juſt and full Concurrance in what is laid before you.

I wiſh the Kingdom had ſooner received the benefite of His Majeſties good intentions, but you have it now in your power to repair that loſs.

His Majeſties moſt gracious Letter which you have heard read, does clearly confirm all that was formerly offered, or can be reaſonably propoſed to make you happy.

It is with regrate the King tells you that He cannot agree to aſſert the Right of the Indian and African Companies Collony in Darien, He perfectly knows the earneſt deſire of theſe concerned in it, and of many others of His good Subjects, and does His Servants Juſtice in that matter.

His Majeſty would certainly have granted what was ſo preſſingly deſired, had he not known that his yielding that point muſt have diſturbed the peace of Europe, and ingaged us in a War, in which he could expect no ſupport.

The circumſtances of that Affair are ſo much altered, that you cannot but be convinced it is unneceſſary at preſent to aſſert that Right; and the inſiſting upon it may obſtruct things of more value, both to the Nation and Company.

It may be the endeavour of ſome in the Nation, who are diſaffected to the Government of the Church and State, to influence you to preſs the aſſerting the Right of the Collony; and the more they ſee His Majeſty ſtraitned betwixt his inclinations to ſatisfie the Company, and His care to preſerve the Peace of Chriſtendome, the more they will urge you to it.

It muſt therefore be highly ſuitable to the Wiſdom of this Parliament, to be aware of ſuch Artifices, and to apply themſelves to diſappoint any advantage our Enemies at home or abroad may make use of the leaſt appearance of difference amongſt us.

For this reaſon I cannot doubt but you will unanimouſly proceed to theſe things that are more valuable, and intirely in your power.

For His Majeſty is willing to concurr with you in maintaining and ſecuring the Proteſtant Religion, and Presbyterian Government of the Church, in putting a ſtop to the grouth of Popery, repreſſing Vice and Immorality, in providing for the liberty of your Perſons by a clear and perpetual Law.

And His Majeſty is alſo willing that you proceed to ſuch Laws as may advance the Trade & welfare of the Kingdom, particularly the true intereſt of the Indian and African Company, and Erect and Improve Manufactories, imploy and provide for the Poor, and clear and ſecure private Rights and Property, ſtrengthen and facilitat the Adminiſtration of Juſtice, reſtrain and puniſh Crimes, and generally to do all that may ſecure the Peace, and promote the Welfare of the Kingdom.

My Inſtructions are full in relation to theſe matters; So His Majeſty has done every thing that can be deſired on His part.

The King on the other hand demands nothing of you, but competent Supplies for maintaining ſuch Forces as are neceſſary for the Security of the Nation, in which I aſſure myſelf of your ready complyance.

I know & do heartily regrate that the Nation is brought low by the Scarcity which has continued for ſeveral years, & by other misfortunes. And I ſhould be as tender as any Man to have heavy Burdens laid upon it: But I think no good Subject will grudge to contribute what is neceſſary to ſupport the Government, and ſecure ourſelves from the Inſults and Rapine of ill Men, which cannot be done without new Supplies.

My Lords and Gentlemen,

It has pleaſed His Majeſty to continue me in the great Honour & Truſt of repreſenting His Royal Perſon. And I conſider it as the higheſt mark of his Favour & the happieſt occaſion of my Life to be imployed by him, when ſo many valuable Conceſſions are made for the good of the Kingdom, & by your Prudence and Conduct, I am perſwaded that this Seſſion ſhall come to an happy iſſue.]

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[THE Speech of Patrick Earl of Marchmont, &c. Lord High Chancellor, to the Parliament of Scotland, on Tueſday 29, October 1700.

My Lords and Gentlemen,

NOW We ſee the Eſtates of this Kingdom again met in Parliament, ſo ſoon as the Kings other weighty Affairs, and his abſence from Britain could allow it; whereby all may be ſatisfied that the Suſpicions which have been vented, as if their Meeting would be delayed and put off, were altogether groundleſs.

His Majeſtie in his Letter to you when you laſt met, told you of His firm Reſolution to make it the chief deſign of His Reign to do every thing that may tend to the Advantage and Good of His Subjects, and the Commiſsioners Grace acquainted you in that Meeting, that he had full Power and Inſtructions for every thing that appeared neceſſary or convenient for the Good and Advantage of the Nation, as to Religion, Property, Liberty, Trade, and particularly what could be of moſt ſolid uſe to the African and Indian Company.

Since that time, His Majeſty by a Letter to His Privy Council, publiſhed by his Order, for the Satisfaction of His Good Subjects, has repeated the ſame Aſſurances which were formerly given you, and has expreſſed his good Intentions towards this Kingdom.

Loving Subjects. And for the Companies concerns, We assure you that We will be so readie to concurr with our Parliament in everie thing that can be reasonablie expected of us for aiding and supporting their interests, and repairing their losses, That our good subjects shall have just grounds to be sensible of our heartie inclinations to advance the wealth and prosperitie of that our Antient Kingdom, And as for Captain Pinkartoun and the other Prisoners in Spain, We have alreadie, and we hope, effectuallie interposed for their liberation. In the next place, as We did fullie instruct our Commissioner, so We are still resolved, to pass all such laws as shall be offered for the better establishing the true Protestant Religion and the Presbyterian Government of the Church, which you at present enjoy, for the more effectual preventing the grouth of Poperie justlie feared, for the repressing of vice and immoralitie, for the preserving and securing the libertie of mens Persons, for the encouraging and advancement of trade, And generallie to give our assent to such other laws as shall be brought in for further clearing and securing mens civil rights and Propertie, Promoting the administration of Justice, and setling the Peace and quiet of the Kingdom, Demanding nothing on our part save what shall be necessarie to maintain that our antient Kingdom in so happie a setlement against our and their Enemies, And this Declaration We are confident will be satisfying to all good men who will certainlie be carefull both of their own preservation, and of the interest and honour of the Government, and not to suffer themselves to be misled nor to give anie advantage to Enemies and ill designing persons readie to catch hold on everie oppurtunitie, as their practises doe too manifestlie witness.

Our necessarie absence hath occasioned the late adjournments, but as soon as God shall bring us back We are firmlie resolved our Parliament shall meet where We doe again assure all our Good Subjects, Nothing shall be wanting on our part, that may contribute to their weelfare and happiness, And this our resolution and declaration We allou you to publish for the satisfaction of all concerned, So We bid you heartilie farewell. Given at our Court at Loo the 26 of July 1700, and of our Reign the 12th Year.

By His Majtys Command

RO. PRINGLE.

TO Our Right trustie and Entirely beloved Cousen and Councellor, Our Right trustie and Right well beloved Cousin and Councellor, Our Right trustie and well beloved Cousins and Counsellors, Our Right trustie and well beloved Councellors, And Our trustie and well beloved Councellors James Duke of Queensberrie Our Commissioner and the rest of the Lords of the Privie Councell of Our Antient Kingdom of Scotland.

Now again His Majeſty by His moſt Gracious Letter Read in your Audience, is pleaſed fully and kindly to certifie you, that he continues firm in the ſame good Intentions, ſtill reckoning the Eaſe and Proſperity of His good Subjects to be His greateſt Honor and Happineſs.

Theſe ample and full Aſſurances which His Majeſty has in His Letter given you, are ſo diſtinctly expreſſed in it, and in the Diſcourſe the Commiſſioners Grace has had to you, that it were ſuperfluous to me to add much to what you have heard. Only I muſt much take notice, and I wiſh that you may do ſo too, of the large extent of His Majeſties good Intentions towards his Subjects of this Kingdom.

His Majeſtie is reſolved to give the Royal Aſſent to all Acts for the better eſtabliſhing the true Proteſtant Religion and the Preſbyterian Government of the Church which we Enjoy. For the more effectual preventing the grouth of Popery, for the repreſsing of Vice and Immorality, and Encouragement of Piety and Virtue, for the preſerving and ſecuring of perſonal Liberty, for the Regulating and Advancing of Trade, for making up the Loſſes, & promoting the Concerns of the African and Indian Company, and for the ſetting forward and Improving of Manufactories.

By theſe ſeven Channels, His Majeſty is diſpoſed and ready to let out into this Nation a Stream of moſt valuable Advantages, which cannot miſs (by the Bleſſing of God) to make it happy.

Yet leaſt theſe Heads might come ſhort of importing the extent of His Majeſties good meaning, He is pleaſed to add, that generally he is readie to give the Royal Aſſent to all other Laws for the further clearing and ſecuring Property and civil Rights, for ſtrengthning and facilitating the Adminiſtration of Juſtice, for reſtraining and puniſhing Crimes, and for ſetling the Peace and Quiet of the Kingdom, ſo that nothing ſhall be wanting upon His Majeſties part to make his people both Happy and Contended; what more can we reaſonably Hope, what more can we reaſonably Wiſh.

Upon the other hand, all that His Majeſty demands of us, is, that we will provide proper & competent Supplies for ſuch Forces as ſhall be neceſſary for the Kingdoms Security, and to maintain it in its preſent happy Settlement.

And here I muſt ſay, what leſs can reaſonably be demanded, what leſs can reaſonably be expected.

The many croſs Providences which the African and Indian Company has meet with in the proſecution of its Deſigns, with the great Loſs both of Men and Treaſure, which has been the event of the Companies attempt, for ſettling a Colony in the Province of Darien, have much diſturbed and perplexed the minds of many, and it is too evident, that there are not wanting ſome who would raiſe and foment Jealouſies in well-meaning People of Our Soveraign the King, as if he were not enough concerned to protect and aſſiſt this Nation in what relates to its Trade.

I would intreat you to take heed how you harbour ſo bad a gueſt as Jealouſie is, it is apt to darken the Underſtanding, and to diſturb the motion of the Mind, it will create Fear where no Fear is, and no ground for it, I pray you beware of it.

This is undenyable, that the Scots Nation never had a King, whom it had better reaſon to truſt & confide in, never had a Parliament which it had better reaſon to truſt and confide in; Seing it is ſo, we have all the reaſon in the World to do what is poſſible to us for maintaining a good Underſtanding betwixt this King and his Parliament, even as we wiſh the Proſperity and Peace of this Kingdom.

There is one thing which has made a difference of Opinion amongſt us, ſome would have an Act aſſerting the Right of the Company to the Colony, which it planted upon Darien. In this matter the King has been much ſtraitned, and has declared to you with regrate, that he cannot agree to the aſſerting a Right to that Colony, and that for invincible reaſons, which His Majeſty is pleaſed to communicate to you.

That it would infallibly diſturb the general Peace of Chriſtendome, and bring inevitably upon this Kingdom a heavy War, wherein we could expect no aſſiſtance. This is very evident, for the power of the Spaniſh Monarchy, and of thoſe concerned in the Support of it, would be united againſt us, and we in all appearance left to our own ſtrength, without expectation of any Aſſiſtants.

Beſides, we are to conſider, that the Company has not now the Colony in Poſſeſſion to ſupport and maintain, but to recover by force of Arms, and we have good Reaſon, this Kingdom having ſo lately come off from a great and long War, to take notice in what Condition and Preparation the Nation is to engage in a new one, and what Aſſiſtance we may expect.

Theſe plain Reaſons, I do not doubt, will ſatisfie all theſe who are ſatisfiable, & not too indifferent of keeping up a mutual Truſt and Confidence betwixt His Majeſtie and his People and Parliament.

My Lords and Gentlemen,

As you have great Aſſurances and kind Offers from your Soveraign at this time, whereby this Nation may be made very happy, its moſt important Intereſts furder ſecured, its Peace preſerved, and its Trade advanced, Let not the humor or jealouſie of any who have acceſs to the doing Buſineſs in this Juncture, hinder or obſtruct ſo great a Bleſſing as we have in proſpect.

But ſeing our King is ſo ready to concur with us, let us not be backward or ſlow to concur with Him for the good of our Nation, that the people now living, and the poſterity which ſhall come after us, may have this Seſſion of Parliament in Veneration, and for a Pattern worthy to be regarded, and fit to be imitated.]

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THE Draught of an Act adjourning the Seſsion untill the firſt day of December next read for the firſt time, and ordered to lye on the table.

THE Orders of the houſe read, and appointed to be printed and affixed on the uſuall places.

TWO Commiſsions being produced for the Shyre of Wigtown one to Lord Baſil Hamilton and the other to William Stewart of Caſtleſtewart for ſupplieing the place of the Laird of Garthland late Commiſsioner for that shire now deceiſt and ſeverall objections being moved againſt the ſaid Commiſsions, It was debated whither the ſame ſhould be diſcuſsed in plain Parliament being alleadged it concerned the State of the Barons, or remitted to the Committie for elections for tryall of matters of fact The debate was adjourned, & resolved that it be moved and reſumed the next meeting of the Parliament and both parties appointed to be ready to debate by themſelves or their Lawyers.

THE Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Thurſday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday October 31. 1700.

PRAYERS ſaid Rolls called.

PATENT creating Sir David Colzier Lord Portmore read and ordered to be recorded. Whereupon the Lord Portmore took the oath of alleadgeance and signed the same with the aſsurance and aſsociation and took the oath of Parliament.

Alexander Porterfield of that Ilk one of the Commiſsioners for the Barons of the shire of Renfrew newly elected in place of John Caldwell of that Ilk deceiſt took the oath of alleadgeance signed

the same with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

ACT for adjourning the Seſsion again read and ane amendment being made that the adjournment should be till the firſt Tuesday of December in place of the firſt day of December It was put to the vote Approve the Act or not and Carried in the affirmative.

THE said Act touched with the Scepter by His Majeſties High Commiſsioner in the uſuall manner and ordered immediatly to be proclaimed.

MOVED that the Double Election from the Shire of Wigtoun may be resumed and taken into conſideration and the parties with their Lawyers being called the caſe was debated and the Instruments produced by both parties read It was propoſed that the firſt point to be spoke to should be the alleadged incroachment made upon the freedom of the Elections by the Noblemen and others their comeing in and remaining in the Roume the time of the Election; It was proposed by others that the firſt thing to be conſidered should be the procedure of the Sherriff of Wigtoun in fyneing one of the freeholders who was claiming his vote becauſe he would not remove and in his aſsumeing to be preses of the meeting which alleadged incroachments of the Sheriff being firſt in order ſhould be firſt considered and a debate haveing arisen anent the state of the queſtion the same was adjourned to the next meeting of Parliament.

THE Lord Chancellour did intimate to the Members of Parliament that at the next meeting they are to proceed to the choiſe of their uſual Committies.

THE Lord Chancellour by order of His Majesties High Commiſsioner adjourned the Parliament till Saturnday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday November 2. 1700.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Orders of the Parliament houſe again read and appointed to be duely obſerved.

A COMMISSION to Mr Charles Campbell from the Burgh of Campbelltoun newly erected And the Charter of Erection under His Majeſties great Seall for the Warrand thereof both read And after some reasoning thereon the said Mr Charles took the oath of alleadgeance, signed the same with the aſsurance and aſsociation, took the oath of Parliament, and was added to the Rolls.

THE former debate anent the Encroachments complained of at the Election of the shire of Wigtoun again reſumed.

A MOTION made that the enquireing into the Encroachments complained of in the election of the Shire of Wigtoun is not for cenſureing any perſons therein concerned but only in order to a regulation by a law for secureing the freedom of Elections and for annulling of thoſe elections or either of them as accords.

WHICH motion being read was voted and approven nemine contradicente and immediatly signed by the Lord Chancellour.

THEN the Parliament proceeded to the conſideration of the Encroachments complained of. And a motion being made that the complained of Encroachments made by the Sheriff had not been yet ſpoke to; After an full reaſoning theranent the Queſtion was ſtated Whither the Encroachments made by the Lords and others or thoſe made by the Sheriff should be firſt diſcuſsed, It carried the complained of Encroachments made by the Sherriff.

AND it being moved that the Parliament ſhould farder proceed in that matter the same was adjourned to the next meeting.

THE Lord Chancellour by order of His Majeſties high Commiſsioner adjourned the Parliament till Tuesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tueſday November 5. 1700.

PRAYERS said Rolls called.

Sir David Arnot Commiſsioner for the Barons of the Shire of Kinroſs newly elected took the oath of alleadgeance signed the same with the aſsurance & aſsociation and took the oath of Parliament.

MINUTS of the last Sederunt read.

ORDERED that a warrand be iſhued out in the uſual forme for electing an Commiſsioner for the Shire of Air in place of William Muir of Rowallan deceiſt and Wednesday the twentieth day of November inſtant appointed for makeing the said Election.

MOVED that a paper given in by the Lord Roſs some days ago in relation to the Lord Rollo may be read and the same was read accordingly.

THE consideration of the Encroachments complained of at the election of the Shire of Wigtoun resumed; And agried that there be diligence granted at either parties inſtance to cite witneſses on twenty four hours warning againſt the next Sederunt of Parliament and that the Parliament will then considder whither to examine them in plain Parliament or remit them to a Committie.

MOVED that the Eſtates do seperat and make election of their ordinary Committies, and that the Committy for Security of the Kingdom consist of nyne of each State The Committy for Trade of seven of each State The Committy for contraverted elections of fyve of each State The Committy for returning an anſwer to the Kings Letter of one of each State And that one of each State be named for reviſeing the Minuts of this Seſsion of Parliament Whereupon the Estates haveing seperat to their uſuall places returned and reported their severall Elections as follows.

FOR Security of the Kingdom, Of the State of Nobility The Earls of Argyle, Mar, Lauderdale, Lothian, Loudoun, Leven, Annandale, the Viscount of Stair, and Lord Carmichael. Of the State of Barons, Robert Dundas of Arniestoun, Sir John Hume of Blackadder, William Bennet younger of Grubbet, Sir Francis Scot of Thirlestaine, William Baillie of Lamington, Sir Thomas Burnet of Leyes, the Laird of Grant, Sir William Anſtruther of that Ilk, and James Broddie of that Ilk. Of the Commiſsioners for Burghs, Sir Archbald Muir, Mr John Murray, Sir James Smollet, Mr David Dalrymple, Sir John Hamilton, William Meingies, Sir Hugh Dalrymple, Sir William Hamilton, and Sir Alexander Hume.

FOR Trade, Of the Nobility, The Earls of Buchan, Aboyne, Kintoir, the Viſcount of Tarbat, Lords Forbes, Jedburgh, and

Ruthven. Of Barons, Wm Morifon of Preftoungrange, John Haddan of Glenaigles, Sir John Schaw of Greenock, Patrick Murray of Livingftoun, James Moir of Stonywood, Mr James, Carnagie of Phinhaven, and James Scot younger of Logie. Of the Commifsioners for Burghs, James Fletcher, John Anderfon for Glasgow, John Muir for Air, Mr Alexander Cuningham, William Cultrane, Mr William Johnftoun, & Hugh Broun.

FOR contraverted Elections, Of the Nobility The Earls of Glencairn, Carnwath, Breadalbane, Vifcount of Tarbat, and Lord Bellenden. Of the Barons, William Hepburn of Beinftoun, James Pringle of Torwoodlie, John Crauford of Kilbirnie, George Broddie of Afliſk, and Sir John Erfkine of Alva. Of the Commifsioners for Burghs, Sir Andrew Hume, Mr James Campbell, Mr William Broddie, Mr Robert Forbes and Sir Archbald Sinclair.

FOR answering the Kings Letter, Of the Nobility the Earle of Argyle. Of the Barons the Laird of Grant. Of the Commifsioners for Burghs, Sir Hugh Dalrymple.

FOR revifeing the Minuts of this Sefsion of Parliament. Of the Nobility the Vifcount of Tarbat. Of the Barons, Sir John Lauder of Fountainhall. Of the Commifsioners for Burghs Mr David Dalrymple.

RESOLVED that all Motions and Overtures be firſt made in plain Parliament and that no Motion or Overture come in from any of the Committies but upon matters firſt remitted to them by the Parliament.

OVERTURES for Acts to be made viz. An Act for Security of the Protestant Religion and Presbiterian Government of the Church as it is now established, ratifieing all Laws made in their favors, An Act for preventing the grouth of Popery with such additions as shall be found neceſsary, And an Act for the more effectuall Execution of the Laws made for repreſsing Vice and Immorality, all read and remitted to the Committy for Security of the Kingdom.

MOVED that the Minutes dated 27 May last be read, the ſame were read accordingly and the farder confideration therof delayed.

ORDERED that the Committies meet to morrow at ten of the clock in the usuall places.

THE Lord Chancellour by order of His Majesties High Commifsioner adjourned the Parliament till Fryday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday November 8. 1700.

PRAYERS said Rolls called.

COMMISSION to Charles Mitchell for being one of the Commiſsioners for the Barons of the Stewartry of Orkney and Zetland presented and read; And *some objections being* proponed against the same It was moved that the said Commifsion and Objections be remitted to the consideration of the Committie for contraverted Elections; And the vote being stated Whither to consider the same in plain Parliament or remit to the Committie, carried Remit.

MINUTS of the laſt Sederunt read.

A REPRESENTATION from the Commifsion of the Generall Aſsembly to the Parliament read, and remitted to the Committie for Security of the Kingdom.

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[SOME things humbly offered by the Commifsione of the Generall Aſsembly to the consideratione of his Grace his Mäties high Commifsioner and the high Court of Parliament.

HIS Majeſtie haveing been pleaſed in his gracious Letter from his zeall to the glorie of God and good affectione to this Church (of which this Commifsione have a gratefull senſe) to declare his reſolutione to give the Royall Aſsent to all Acts that shall be offered for the better establishing of the true Protestant Religione and of the Preſbiterean Government of this Church which we enjoy, and for the more effectual preventing the grouth of Popery for the suppreſsione of vice & immortalitie, and the encouradgement of pietie and vertew This together with the many great & good things which this Parliament hath already done for the Church of God in this land doeth encourage the ſaid Commifsione to make the following repreſentatione.

1. Though ther be many good lawes against Popery in this Natione yet ſeing the Popish partie have for divers years oppreſsed severalls of the reformed churches and ſeem at work to extirpate the reformed Protestant Religione, and in the mean tyme ther emiſsaries are restles in ther endeavours for the seductione of the people of this Natione and in divers places have too great and lamentable succeſs, It may be worthie of his Grace and the Estates of Parliaments thoughts to conſider what farder may be done to diſcouradge apoſtacie to Popery and obſtinat continowance therin and that none of theſe who profeſs to come off from Popery be admitted to places of power and truſt vntill they give full satisfactione to the church anent the ſinceritie of ther profeſsione, 2°, That encouragement be given to the diſcoverers of Preiſts and Jesuites and other traffiqueing Papiſts, 3°, That Protestants be prohibite to take into ther famillies Popish perſones to teach ther childrene French or Muſick or Danceing, or for other service, 4°, That the lawes for educating the childrene of Popish parents in the Protestant Religione be put in executione.

2. It is to be regraited that notwithſtanding ther may be many excellent lawes made against prophanitie and paſlie by the act against prophanneſs made in the year 1696 Magiſtrats are appointed to be nominat in each paroch, wher ther is not allready a Magiſtrat reſideing, who are Impouered by deputatione from the reïve Shirriffs &c. to put the ſaids Lawes in more vigorous executione, nevertheleſs this law in many places hes never taken effect partly becauſe many pariſhes have been negligent in nominateing ſuch Magiſtrats ther not being a certaine day prefixed for doeing the ſame and returneing the names of thoſe Magiſtrats to the Privie Councell and partly oat of fear leaſt ſuch as ſhould be nominat would not accept of deputationes and partly becauſe ther may be a Magiſtrat reſideing that hes juriſdictione over a pairt of the paroch and not the whole, Therfore it is humbly deſyred the Parliament may be pleaſed to fall upon ſome effectuall methode to obleidge every paroch who have not Magiſtrats allready to nominat and ellect ſome fit perſone for theſe offices against a certain day to be authorized by the reïve Shirriffs &c. and that this may alſo be allowed to paroches wher the Judge ordinary reſideth if the paroch find it needfull as alſo to obleidge ſuch as ſhall be ellected to accept, and for that effect that due encouradgement and aſsiſtance may be given them for putting the ſaids Lawes in vigorous executione, and that ſuch marks of reſpect may be given the ſaids Magiſtrats as the Parliament in ther wiſdome shall think fit; And that whoſoever shall oppoſe, or be found to obstruct them in the executione of ther office or to threaten or offer to doe violence to any who delate or perſew ſuch proceſſe may be brought to condigne punishment And farder that all other Magistrats may be requyred to put the ſaids Lawes against prophanneſs in executione in ther reïve capacities and bounds and that the Officers of other Judges be obleidged to aſsiſt in putting the ſaids Lawes in executione as they shall be requyred and that all concerned in ſuch proceſſes

for executing these Lawes may have all due encouradgement out of the fynes and otherwayes And lykewayes to revive former Acts of Parliament against abuſes at pennie weddings, As alſo that ſome courſe be taken for preventing the frequencie of oaths in exacting and collecting Excyſe and ſuch lyke occaſiones which is a temptatione to perjurie among them that are leſs serious And seing it cannot be expected ther shall be a vigorous executione of Lawes againſt vice if theſe who are in places of power and truſt be vitious themſelves, It is humbly desyred that his Grace and the Eſtates of Parliament may in ther wiſdome take ſuch courſe as may prevent this, and that places of power and truſt may be filled with men of probitie and integritie and free of immoralitie.

3. Seing the Preſbiterean Government of this Church is founded on the word of God and most agreeable to the Holy Scripture & a branch of our Reformatione from Popery It is alſo humbly craved that ther may be a ratificatione and confirmatione of all Lawes made in favors therof and for the farder establishment of the ſame That ſuch methods may be taken as may prevent the ſubverſione therof and the reintroductione of Prelacie (which is declared to be ane inſupportable greivance and trouble to this Natione) and that the Parliament may be pleased so far to countenance and encourage the preſent eccleſiastick eſtablishment and ministrie of this Church as to order all Magistrates and Councellers in Burghs and others in publict truſt duely to attend the publick worſhip and ordinances diſpenſed by Preſbiterean Miniſters, It is alſo to be regrated that by the diſsaffectione of some perſones to the preſent Government ther falls out many irregularities and diſsorders and particularlie it is humbly represented that divers of the Epiſcopall Clergie set up meeting houſes, some of them in vaccant paroches which greatly obſtructs the legall planting therof and seme in paroches wher ther are settled ministers, wherby a door is opened for violatione of the Lawes ag^{t} diſsorderly mariages & baptiſms and for ſuch innovatione in worſhip as hes not been uſed in this Church and ſome perſones in divers places doe practiſe upon and overaw the people, diverting them from waiting on the publict ordinances and worſhip in the Churches although it be knowen they wold otherwayes willingly attend goſpell ordinances diſpenſed by Preſbiterean Miniſters And lykeways ſome of the late pretended bishops doe ordaine miniſters and licentiat preachers in ſome parts of this Kingdome, by which things, diviſion and ſchiſme is propagated and perpetuated in this Church It is therfor humbly desyred that ſome remedie may be provyded to theſe things.

4. It is alſo regrated that ſome doe diſseminate and even in printed treatiſes severall corrupt pernicious & erroneous doctrines And therfor it is deſyred that ſome courſe may be taken for restraint & punishment therof And it is humbly propoſed that not only all who officiat as miniſters but all probationers for the miniſtrie and all who have the charge of inſtructing youth ſuch as governours chaplains pædagogues and ſchoolmaſters be obleidged to ſubſcryve the Confeſsione of Faith as the Confeſsione of ther Faith and that under ſuch penalties as the Parliament ſhall think fit to appoint.

5. It is alſoe humbly entreated that some effectuall courſs may be taken for provydeing for the poor and setting them to work who are able to work.

6. Although ther be Acts of Parliament appointing that the heretors should build and repair kirks and manſes wher needfull yet unles heretors be all willing ther is great deficultie in putting theſe acts in executione In regaird ther is not a way appointed how the heretors ſhall be stented and obleidged to build or repair Miniſters manſes So that in many places in this Natione Miniſters have not only wanted manſes but been obleidged to preach in the open feilds both summer and winter for many years by reaſone of the ruinous conditione of the church It is therfor humbly entreated the Parliament would take this to conſideratione.

7. And seing in the caſe of deſertione Commiſsers refuſe to give divorce till the perſone deſerting be excommunicat by the church which the church cannot doe not knowing whither the perſone deſerting be dead or alive It is therfor deſyred the Parliament may take this to conſideratione.

Signed in name of the ſaid Commiſsion by
Mr G. Meldrum. Mod^{r}. Com:

Edinb: 8 Nove^{r} 1700.

HIS Mäties high Commiſſioner and the Eſtates of Parliament haveing heared the within repreſentation read in ther preſence they remit the conſideration therof to the Committie for Security of the Kingdome.

MARCHMONT Cancellar. I. P. D. P.]

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THE Draught of an Act for ſecureing of the Protestant Religion and Presbeterian Church Government as now established brought in from the Committy read for the firſt time Also an Overture propoſed as an addition to the said Act presented and read; and both ordered to ly on the table.

OVERTURE for the planting of Kirks and provideing the poor read and ordered to ly on the table.

DRAUGHT of an Act from the Committie for preventing the grouth of Popery read for the firſt time and ordered to ly on the table.

AGRIED that the Representation from the Commiſsion of the Generall Aſsembly and the Draught of the Act for preventing the grouth of Popery be printed in order to be considered by the Members of Parliament.

OVERTURE that an Act be brought in for secureing of perſonall Liberty and remitted to the Committy for Security of the Kingdom to bring in the same, Alſo moved that the Draught of an Act anent wrongous imprisonment presented to the Parliament in the year 1698 be read as an Overture.

MOVED that after the Laws for secureing Religion the affair of Caledonia be taken into consideration Alſo moved that the Kings Letter to the Parliament be again read, and the same was read accordingly; And a debate ariſeing anent the order in which the affair of Caledonia is to be considered It was proposed that there be a resolve of Parliament That after the Laws for regulating of trade as to export and import the important buſsineſs of the Indian and African Company and Caledonia should be taken into consideration and the Parliament to give their sentiment upon it nothing interveening, And a vote craved Approve the Resolve or not: It was proposed by others that an certain fixt day be appointed for considering the affair of Caledonia and a vote alſo craved theron; And the Question being stated Whither the vote should be Approve the Reſolve or not, or Fix a day or not, Carried Approve the Resolve or not.

AND the forſaid Reſolve being again read in Parliament, It was put to the vote Approve or not, and carried Approve nemine contradicente.

THE Draught of the ſaid Act anent wrongous impriſonment moved again to be read The same was accordingly read and remitted to the Committie for Security of the Kingdom.

OVERTURES for Acts to be made viz. An Act for the more effectuall reſtraining the importing wearing or useing of forraign woollen manufactories, Act for regulating the trade with France, Act for regulating the trade with Ireland, Act for reſtraining the importing or wearing of forraign silk stuffs, And Act for abrogating the twenty seventh Act of the Parliament 1663 relating to forraign trade, all remitted to the Committie for trade.

ORDERED that the Committies meet on Monday next at ten of the clock in the usuall places.

THE Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till Tuesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday November 12. 1700.

PRAYERS said Rolls called.

THE Earl of Airlie excuſed by His Grace His Majesties High Commiſsioner in respect of his indisposition.

Mr John Gordon younger of Carrill one of the Commiſsioners for the Shire of Sutherland newly elected in place of Sir Adam Gordon of Dalfolly deceiſt took the oath of alleadgeance signed the same with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the laſt Sederunt read.

PETITION the Laird of Innes younger craveing a warrand to cite the Duke of Gordon and others to compear before the Parliament to the effect therin mentioned read and ordered to lye on the table untill the next Sederunt of Parliament, and the Duke of Gordon or any other person concerned allowed to see and anſwer the same if they shall think fit.

PETITION James Montgomery merchant in Glasgow craveing warrand to erect an manufactory of Glaſs and Soap Works at Glasgow with the same priviledges and liberties as are granted to the Glaſs Works at Leith and Moriſons haven read and remitted to the Committie for trade.

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[TO his Grace James Duke of Queenſberry His Majeſties High Commiſſioner, and the Right Honourable the Eſtates of Parliament.

The Petition of James Montgomery younger Merchant in Glaſgow.

Humbly Sheweth,

THAT where it is the Intereſt and Policy of all Nations and Governments to advance and improve Induſtry and Vertue amongſt the Subjects, eſpecially in Societies, who deſign the Improvement of any part of the natural Product of their own Country.

Your Petitioner and others his Partners at Glaſgow, conſidering how ill that City and all the Countrie in its Neighbourhood, and farder Weſt, is furniſhed with Glaſſes of all kinds, notwithſtanding of ſeveral Glaſs-Works lately erected at Leith and other parts here, and that the Glaſſes made here cannot be tranſported to the Weſt Countrie, but with a vaſt Charge and great hazard, being at a great diſtance, and neceſſarly to be carried over Land; And finding not only the Ferns (a moſt uſeful Material for that Work) to be very plentifull in that Country; But alſo that there is great opportunity of improving vaſt Quantities of Wood aſhes in the Weſt Countrie and Highlands, which ſerve for little or no other uſe, and may be Manufactored firſt into good white Soap, which would be of great uſe to the Kingdom, and which is no where made in Scotland, nor imported, but with a vaſt charge, and the remains of theſe Wood aſhes, after the Soap is made, is a moſt excellent matterial for making of Glaſs.

Your Petitioner and Partners having duly weighed and conſidered all theſe Advantages which will neceſſarily redound to the whole Kingdom in general, and in a more ſpecial manner to the Weſtern parts thereof, by erecting a Glaſs and Soap-Work at Glaſgow, have theſe ten Months bygone been with great Application and vaſt Charges ſeeking out the beſt Workmen who were to be got in England, and providing all Neceſſars and Materials for the ſamen; And have alſo erected a very pretty Edifice for ſerving both the Soap and Glaſs-Work, which if duly incouraged will tend very much both to the Honour and intereſt of the Countrie: And ſince your Grace and the Right Honourable the Eſtates of Parliament have been in uſe to incourage ſuch Works and Undertakings, by granting them all the Priviledges, Immunities and Exemptions granted formerly to other Manufactories, either by Acts of Parliament or Privy Council.

May it therefore pleaſe your Grace and the Right honourable the Eſtates of Parliament, in conſideration of the premiſſes to allow your petitioner and his partners to proceed in the foreſaid Glaſs and Soap-Works, and to erect the ſame to a Manufactorie, granting and enduing it with all the Priviledges Liberties and Immunities whatſomever, formerly granted by Acts of Parliament or Privy Council to other Manufactories, and particularly with ſuch Priviledges and Exemptions as were granted to the Glaſs-Works of Leith and Moriſons-haven. And your petitioner ſhall ever pray, &c.]

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[REASONS for granting of the Petition preſented to the Parliament, by James Montgomery younger Merchant in Glaſgow, for the priviledge of a Glaſs-Manufactory.

THE Petition preſented by the ſaid James, for the priviledge of a Glaſs-Manufactory at Glaſgow, doth fully and plainly contain the utility thereof, and how great profit may thereby redound to the Kingdom ſpecially the Weſtern parts thereof.

But the Laird of Preſton-Grange, having in the Parliament obtained the priviledge of a Glaſs-Manufactorie at Moriſons-haven, with a prohibitive Clauſe, diſcharging all perſons from making any of theſe Species of Glaſs, which he pretended were never before made in this Kingdom, viz. Mirror, or Looking Glaſſes, Plates, Watch-Glaſſes, Moulded Glaſſes, and Window Glaſſes, and that for the ſpace of nine Years after the date of his Act, unleſs that others ſhould ſet up, and make the ſaid ſpecies of Glaſs, within two Years, offers to obſtruct the granting of Mr. Montgomeries Petition, as contrary to the old Act in Preſtoun-Grange's Favours.

As to which it is answered for Mr. Montgomery, Firſt, That it is evident by the Parliaments granting of the foreſaid prohibitive Clauſe, that Preſton-Grange has given great aſſurances as to the performance of what he undertook, it being otherways certain, that the Parliament had not ſo readily agreed to ſuch a prohibitive Clauſe, which upon the matter imports a Monopoly: and therefore, beſides the odiouſneſs of a Monopoly, there is all reaſon if Preſton-Grange have not punctually performed, that he ſhould have no benefit of ſuch an excluſive Clauſe, in prejudice of the Liberty common to all Men.

But 2. The foreſaid prohibitive Clauſe in Preſton-Grange's Act, as well as the other ſubjoyned to it, prohibiting the import of the foreſaid ſpecies of Glaſs, are plainly in Preſton-Grange his own Act affected with this condition, that he ſhould furniſh to the Kingdom as good and as cheap as the foreſaid ſpecies have been ſold at London. But ſo it is, that Preſton-Grange hath clearly failed as to the foreſaid condition, it being notour, that he neither hath furniſhed the Kingdom with as good and as cheap: nor indeed hath or can furniſh it at all, and as to the inſufficiency of his Glaſs, it is notourly known ſpecially as to his Mirrors and Watch-Glaſs, and can be atteſted by all that have uſed them, and that he cannot at all furniſh the Kingdom, is evidently made out by three Inſtruments here produced, one taken by the Glaſiers, another by theſe that deal in Drinkinge Glaſſes, and a third by Scot, who deals in Mirror and Watch-Glaſſes, and that all within this half Year, whereby it plainly appears, that Preſton-Grange could not furniſh them at all, having indeed none of the ſaids

Glaſſes for their uſe and ſervice, whereby it is evident, that Preſton-Grange hath forfeit his ſaid excluſive Clauſe, and cannot pretend to hinder any to uſe his beſt induſtry in the ſaid Matter.

3. Tho Preſton-Grange could furniſh good and cheap, yet it is manifeſt, that he cannot ſerve all the Kingdom, ſpecially in the weſtern remoter parts, to which Glaſſes cannot be carried, without both Expenſe and Loſs; ſo that it is a very invidious part for him to offer to obſtruct any other that offers at ſuch a diſtance, to improve the policy of the Kingdom.

4. If need were Mr. Montgomery would almoſt ſubſume in the terms of the Exception from the ſaid excluſive Clauſe contained in Preſtoun-Grange his Act, viz. in as much as Mr. Montgomery did indeed ſet up and build his Glaſs-houſe within the ſaid two years mentioned in the Act, and if he did not in that time begin to make, it was only becauſe he waited for the ſitting of the Parliament to have the Priviledges of a Manufactory, before he ſhould lay out more Expence in greater Preparations; Likeas it is certain that when the Parliament did meet in May laſt, which was ſometime before expiring of the ſaid two years he had his petition ready to be given in, but was only hindred by the Adjournments that have been ſince made; and therefore tempus inutile that hath ſince run ſhould not be imputed to Mr. Montgomeries prejudice.

And 5. Preſtoun-Granges Act bears an expreſs Declaration, That it ſhould not be prejudicial to the Lord Elcho to ſet up the like Manufacture; But ſo it is that the Lord Elcho hath given over his deſign, whereby ther can be no prejudice to Preſtoun-Granges Act that Mr. Montgomery come in the Lord Elchos place.

For which Reasons Mr. Montgomery doth with all Submiſſion preſume that Preſtoun-Grange hath no Reaſon to obſtruct his petition; ſpecially ſeing that Mr. Montgomery did truly build his Glaſs-house and lay out conſiderable Expenſe upon this project within theſe two years, and that it were both a hardſhip upon him and damnage to the Countrey, ſpecially to the Weſtern Shires that he ſhould be hindered to uſe his Liberty for the Advantage and increaſe of the policy of the Kingdom upon this pretence made by Preſtoun-Grange, who neither has performed nor can perform in the Terms of his Act, or in effect hath done any thing to good purpoſe, his Work, as is informed, being alſo deſerted and never like to thrive in his manadgement.]

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PROPOSALS from the Hatmakers of Edinburgh for themſelves and in name of the rest of the Hatmakers in the Nation anent the severall particulars therein mentioned relateing to the makeing of hats read and remitted to the Committy for trade.

PETITION Mr William Gordon of Balcomie craveing warrand to cite Sir William Hope and other persons complained on to compear before the Parliament read and the said Petition with ane Representation given in by Sir William Hope in anſwer thereto remitted to the Committie for elections to consider whither or not there be ground for granting warrand for the said citation and to report.

MOVED that the consideration of the complained of encroachments at the Election of the Shire of Wigtoun be again resumed, and the Minuts of the fifth of November instant relating to that mater being read an debate arose whither the witneſses cited should be examined in plain Parliament or remitted to a Committie; And Lord Baſil Hamilton being heard on matters of fact and the Inſtrument produced by Castlestewart relating to the Sheriffs procedure read Castlestuarts oath of calumny was craved if he has juſt reason to alleadge what is represented in the said Instrument anent the Sheriffs continueing preses after another preses was desired to be chosen and he haveing deponed affirmative it was remitted to the Committee for Elections to receive the depositions of the witneſses cited by both parties and to take tryall of the haill other matters of fact relateing to the said Elections in so far as the same requires probation, and to report.

THE Act for Secureing the Proteſtant Religion and Presbiterian Church Government as now eſtabliſhed brought in from the Committy read the second time and being put to the vote Approve the Act or not Carried Approve nemine contradicente.

THE Draught of another Act for Presbeterian Church Government in relation to their Nationall Synods and Generall Aſsemblies read It was moved that this Act be remitted to the Committie for Security; Also moved that the same be considered in plain Parliament, The farder consideration therof delayed and the Act ordered to lye on the table.

APPOINTED that the severall Committies do meet to morrow at nyne of the clock.

THE Lord Chancellour by order of his Majeſties High Commiſsioner adjurned the Parliament till Thursday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday November 14. 1700.

PRAYERS said Rolls called.

COMMISSION to Mr Rodrick McKenzie of Preſtounhall for being one of the Commiſsioners of the Barrons for the ſhyre of Cromarty newly elected in the place of John Urquhart of Craighouſe who did not signe the aſsociation presented It wes moved that one of the ſubſcrivers of the ſaid Commiſsion signes as procurator for a Barron contrair to Law which allowes of no proxies in such elections Ordered that the ſaid procurators name be deleat and the ſame being accordingly done Preſtounhall tooke the oath of alleadgeance and signed the same with the aſsureance and aſsociation and tooke the oath of Parliament.

MINUTS of the laſt Sederunt read.

PETITION from the frieholders of Argyllſhyre craveing warrand to elect a Commiſsioner to the Parliament in place of Sr Duncan Campbell of Auchinbreck in reſpect of his indiſpoſition read Alſo two teſtificats of his ſickneſs and Sr Duncans own dimiſsion likewayes read And in reſpect therof and of the notoriety of Sr Duncans circumſtances and incapacity to ſerve in Parliament and that ſeverall Members of Parliament had declaired that he owned himſelf to be ane Papiſt It wes moved that warrand be granted to elect a new Commiſsioner in his place And the queſtion being ſtated Grant warrand or no carried Grant warrand And thurſday the 28 of November inſtant appoynted for makeing the ſaid election.

MOVED that the petition given in by the Laird of Innes younger craveing warrand to cite the Duke of Gordon and others be now taken into conſideration and it being objected that the matter was depending befor the Lords of Seſsion After ſome debeat the queſtion was ſtaited Whither to grant warrand to cite or remit the tryall of the ſaid objection to a Committy It carried grant warrand to cite.

PETITION David Maxwell maſter of the woollen manufactory at Newmilnes and Partners craveing that it may be remitted to the Committy for trade to bring in ane Act for erecting the brecking sorting and right ordering of fleiſs wooll in a frie incorporation and manufactory read & remitted to the Committy for trade.

PROPOSALLS for Hendry Hewie Frenſh Guilder craveing that the importation of guilded timber work may be conſidered and diſcharged read and remitted to the Committy for trade.

THE Draught of an Act diſchargeing the Importation of Frenſh Wynes and all other goods from France read and remitted to the Committy for trade.

PETITION William Barkley merchant in Glaſgow craveing the grant of makeing aile aiger or vinegar with the priviledge of ane manufactory and that all others be diſcharged to import or make the ſame for seall read and remitted to the Committy for trade.

ACT for preventing the grouth of Popery brought in from the Committy read for the ſecond tyme and the farder conſideration therof delayed till the nixt dyet of Parliament.

ORDERED that the Committies meit in their uſuall places to morrow at nyne a clock.

THE Lord Chancellour by order of his Majeſties high Commiſsioner adjourned the Parliament till to morrow being Fryday at ten a clock.

MARCHMONT Cancellar. I. P. D. P.

Fryday November 15. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

A MOTION made that there is ane pamphlet diſperſed entituled Memoriall to the Members of Parliament of the Court pairty containing high reflectiones on the Kings Majeſtie the Proceedings of Parliament and Government of the Church and the ſaid pamphlet being produced and ſome pairts therof read it was ordered that the ſaid Memoriall be brunt by the hand of the common hangman at the mercat Croce of this City to morrow at twelve a clock and the Magiſtrats of Edinburgh to ſie this order dewly execute And remitted to the Committy for Security of the Kingdome to inquire who is the author and printer of the ſaid pamphlet.

PETITION Sir David Home of Crocerig one of the Senators of the Colledge of Juſtice craveing that it may be remitted to a Committee to take tryall of the matters of fact therin repreſented anent the loſs of his papers at the lait fyre and to give remead therunto read and remitted to the Committee appoynted for reviſeing the Minuts.

THE Draught of ane Act for Preſbiterian Church Government in relation to ther Nationall Synods and Generall Aſſemblies read Moved that the conſideration of this Act be delayed for this Seſsion of Parliament and after ſome debeat a vote was craved Proceed to the conſideration of this Act or Delay Moved that befor votting the Act of Parliament in the year 1663 eſtabliſhing ane Nationall Synod be read and a new debeat arifeing theranent It was agreed that the ſtate of the vote be Proceed or Delay and that the ſaid Act 1663 and the Act reſcinding the ſame in the year 1690 be both read immediatly befor votting and the ſaids Acts being accordingly read the queſtion was ſtated Proceed to conſider the Draught of the Act now offered or Delay and carried Delay.

AND it being moved that the tyme of the ſaid delay be determined the queſtion was again ſtated Delay the conſideration of the ſaid Act for this whole Seſsion of Parliament or not and Carried in the affirmative.

THE Draught of ane Act for preventing wrongous impriſonments and againſt undue delays in tryalls brought in from the Committee for Security read.

AGREED that the Draught of the ſaid Act be printed in order to be conſidered by the Members of Parliament.

THE Lord Chancellour by order of his Majeſties high Commiſsioner adjourned the Parliament till to morrow at ten a clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday November 16. 1700.

PRAYERS ſaid Rolls called.

THE Earl of Selkirk excused by his Grace His Majeſties High Commiſsioner in reſpect of his neceſsary absence in attending the Kings Person.

COMMISSION by the Earl of Selkirk Lord Regiſter to Mr Alexander Gibsone one of his depute Clerks of Parliament to preſent ſigne and officiat for him dureing this Seſsion of Parliament presented and ordered to be recorded.

MINUTS of the laſt Sederunt read.

PETITION Sir Alexander Hope of Kerse craveing the recalling of a Summonds direct againſt him at the inſtance of the heirs of the Earl of Bramfoord read and ordered to be seen and anſwered.

MOVED that a pamphlet entituled A Defence of the Scots abdicateing Darien includeing an anſwer to the Scots Settlement there be publictly burnt as a blaſphemous scandalous and calumnious Lybell reflecting upon Religion and upon the honour of this Nation. Alſo moved that an other pamphlet intituled a vindication of the said former pamphlet and a third pamphlet or Scurrel Lampoon intituled Caledonia or the Pedler turned Merchant be both likewayes publictly burnt: And the said three pamphlets being called for and some parts of each of them read Ordered that the saids three pamphlets be burnt by the hand of the common Hangman at the mercat Croſs of this City on Munday next at twelve of the clock And that the Magiſtrats see this order duely execute.

THE Parliament being informed that one Walter Herreis Chirurgeon who went with the Company's firſt ſhips to Darien is the author of the firſt two of the said pamphlets, they appoint him to be taken into custody wherever he can be apprehended within this Kingdom and ordains the sum of Six Thouſand Pounds Scots of Reward to be payed by the Lords Commiſsioners of his Majeſties Thesaury to any who ſhall apprehend the person of the said Walter Herreis and deliver him to any Magiſtrat within this Kingdom in order to be tryed and brought to Juſtice and recommends to the Lords of Privy Councill to publiſh a Proclamation theranent And alſo recommends to the Secretaries of State to repreſent to the King the Parliaments proceedings in relation to the said Walter Herreis that his Majeſtie may be pleaſed to teſtifie his displeaſure againſt him.

THE Dranght of an Act brought in from the Committie for Security for preventing the grouth of Popery read; and there being severall amendments proposed the same was again read by paragraphs; And upon Debate as to that part of the Act anent the Popiſh Heirs being incapable to succeed to any heretable Eſtate after the age of fifteen years untill they purge themſelves of Popery. The Queſtion was ſtated Approve the Clauſe as it ſtands in the Act or Alter and carried Approve.

AND an other paragraph of the said Act being read anent the number of years allowed to the Popiſh Airs excluded to renunce Popery after incurring the irritancies therein mentioned; After some reaſoning therupon the Queſtion was ſtated Whither the space allowed shall be Ten or Twenty Years, carried Ten Years.

THE farder conſideration of the said Act continued till the next dyet of Parliament.

THE Lord Chancellour by order of His Majeſties High Commiſsioner adjurned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday November 18. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

THE conſideration of the Act for preventing the grouth of Popery again resumed and severall paragraphs thereof read, an additional clauſe was offered for regulating the transmiſsion of the Titles of Honour of Papists, and after debate a Queſtion being ſtated Whither a Clauſe regulating the said transmiſsion be added to this Act or if a new diſtinct Act be brought in thereanent It carried a new Act to be brought in.

OVERTURE that a Clauſe be added to the Act in relation to the employing of persons who now are, or shall be Papists and therafter turns Protestants in places of publict truſt; And the said Overture being given in and read, after some reasoning thereupon it was remitted to the Committy for Security of the Kingdom to bring in a diſtinct Act anent the ſaid Clauſe and what other acts shall be thought neceſsar for the farder Security of the Protestant Religion.

THERAFTER the said Act for preventing the grouth of Popery with the severall amendments made thereupon being again read; It was put to the vote Approve or not, and carried Approve.

THE Draught of the Act for preventing wrongous imprisonments & against undue delays in tryalls brought in from the Committy for Security read for the first time.

OVERTURE anent the diſcovery of the Exporters of Linnen Yearn read & remitted to the Committy for trade.

DRAUGHT of an Act prohibiteing the transporting of the Subjects of this Kingdom to forraign plantations read and remitted to the Committy for Security of the Kingdom.

PETITION Mathew and Daniell Campbells merchants in Glasgow craveing the erecting of a Suggar Manufactory and an Manufactory for distilling of Brandy and Strong Waters read & remitted to the Committy for trade.

. . . . . .

[TO his Grace his Māties High Commiſsioner and Right Honⁿ the Eſtates of Parliament.

The Petition of Mathew and Daniel Campbells Merᵗˢ in Glasgow.

Humbly Sheweth,

THAT where his Mātie and Eſtates of Parliament were pleaſed ſome yeirs ago to erect certain merchants in Glaſgow into a Corporation to be called the Sugar Work of Glasgow with the priviledge of Manufactories as ane encouragement profitable for the Nation but without any monopoly or excluſione of other undertakings for makeing of Sugar And we your Grace and Honⁿ Eſtates Petitioners being ready wᵗ great charge upon due encouragement to erect another Sugar Manufactorie that the Nation may the more plentifully and eaſily be provided in Sugars as alſo to ſet up a Manufactory for diſtilling of Brandy and ſtrong waters from malt, ſugar and all other liquors (except wine) as good as any that is imported from France which cannot chooſe but be exceedingly profitable both for the conſumpt of malt which is a native product and for convenience within the Countrie and forreign trade eſpēally for that on the coaſt of Guinea and America and which manufactory of diſtilling ſeems now almoſt indiſputably neceſsary Seeing your Grace and the Honⁿ Eſtates have it under conſideratione to diſcharge the Importatione of French Brandie And ſeeing the ſaid manufactor of Sugar and diſtilling of ſtrong waters does as we humbly conceive at leaſt merit as much favour as any others.

May it therefore pleaſe your Grace and Honⁿ Eſtates of Parliament to creat erect and incorporat us the ſaids Mathew and Daniel Campbells or ſuch as We ſhall aſsume haveing reſidence within the Kingdome in a Corporatione for a Sugar Manufactorie and a Manufactory for diſtilling of Brandy and ſtrong waters from malt ſugar and all liquors (except wine) and that beſides the Companies and Manufactories already erected giveing and granting to us and our ſucceſsours the powers priviledges and liberties granted to any other manufactorie by the Lawes Acts of Parliaᵗ Act of Privy Councel and Exchequer to continue for ſuch a number of yeirs as your Grace and the Honⁿ Eſtates of Parliament ſhall think fit and that the ſaid Company to be erected ſhall be called by the name of the Diſtillarie Manufactory at Glaſgow and that ane Act of Parliament be extended in the termes foresaids And your Petitioners ſhall ever pray &c.]

. . . . . .

PETITION James Cowan merchant in Edinburgh for makeing of vinegar and erecting the same in an Manufactory read and remitted to the Committy for trade.

ORDERED that the Committies meet at their uſuall places to morrow at nyne of the clock.

THE Lord Chancellour by order of His Majeſties high Commiſsioner adjourns the Parliament untill Wednesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Wednesday November 20. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the Committy for Contraverted Elections be appointed to meet and examine the witneſses in relation to the Election of the Shire of Wigtoun and ordered that the said Committy meet to morrow's morning.

MOVED that effectuall methods be fallen upon for restraining the Members of Parliament from leaving the houſe untill the Parliament be adjourned and agreed that any member bring in an Overture theranent in order to be conſidered in Parliament or remitted to a Committy.

PETITION Sir Patrick and James Ogilvies elder and younger of Boyne craveing the discharge of the exacting of Cuſtome or Tunnage for Marble found in their own ground which they shall export and that the importing of all forraign Marble be discharged, read and remitted to the Committy for trade.

PETITION Sir James Cockburn of that Ilk craveing that a proces at the inſtance of John Ker of Moriſtoun againſt him which has long depended before Committies of Parliament be remitted to be diſcuſt before the Lords of Seſsion read and ordered to be seen and answered.

THE Draught of the Act brought in from the Committy for preventing wrongous imprisonments and againſt undue delayes in tryalls read; and the Draught of the Overture thereanent presented in Parliament in the year 1698, and remitted to the Committy for Security likewayes read.

AND the said Act brought in from the Committy being again read in paragraphs it was agreed that there be an Clauſe added extending the benefite of this Act to wrongous Confinements before tryall as well as to wrongous Impriſonments: It was alſo moved that there be a Clause added to the Act appointing the Informer to give his oath of calumny and lykewayes that he signe his information And after debate the Queſtion was ſtated if a Clause should be added that the Informer shall give his oath of calumny yea or nay, and Carried in the negative. And again a Queſtion being ſtated if a Clauſe should be added That the Informer shall signe the information yea or nay and Carried in the affirmative and the farder conſideration of the Act continued untill the next dyet of Parliament.

THE Committies ordered to meet to morrow preciſely at eight of the clock in the morning.

THE Lord Chancellour by order of his Majeſties high Commiſsioner adjourned the Parliament untill to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday November 21. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHT of an Act for erecting a Woollen Manufactory at Muſselbrugh with the same priviledges and liberties that are granted to other Manufactories in the Kingdom read and remitted to the Committy for trade.

PETITION Thomas Mitchell in Saltcoats craveing the priviledge of drying & prepairing of malt and brewing of ale and bear in a new manner read & remitted to the Committy for trade.

PETITION Thomas Robertſon eldeſt son to the deceiſt Baillie Robertſon craveing that the Parliament may take to their conſideration his sad and miserable condition by reason of his loſses ſuſtained by the late fire and grant the petitioner such relief as they ſhall think fit read and remitted to the Committy for elections.

MOVED that the Overture formerly given in and read for planting of kirks and provideing the poor be either considered in plain Parliament or remitted to a Committy; and the same remitted to the Committy for Security.

OVERTURE for a herring fishing on a Nationall account and that it be promoved on a Nationall stock read and remitted to the Committy for trade.

A PROPOSALL for regulating the Coyne of this Kingdom read and remitted to the Committy for Security.

MEMORIALL relating to Land Credit presented by Doctor Hugh Chamberland read and remitted to the Committy for Security.

THE consideration of the Act brought in from the Committy for preventing wrongous imprisonments &c. resumed, and severall paragraphs therof being read, And a debate ariseing anent the time to be allowed to the Judge for cognoſceing if the Crime be baillable and for modifieing the sum for which baill is to be taken, The Queſtion was therupon stated as to the time whither inſtantly or within twenty four hours and Carried within twenty four hours, and severall amendments being made upon other paragraphs of the said Act, the farder consideration of the rest of the Act was delayed till the nixt dyet of Parliament.

THE Lord Chancellour by order of his Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday November 22. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

PETITION Livetennant Collonell John Erſkine againſt the Countes of Kincairdine anent her protestation made against him for remead of Law read and ordered to be seen and answered betuixt and Fryday the twenty nynth of November inſtant.

PETITION Mr William Seaton younger of Pitmedden acknowledgeing himſelf the author of the pamphlet burnt by order of Parliament of the fifteenth of November inſtant and humbly craveing the Commiſsioners Grace and the Eſtates of Parliament their pardon and putting himſelf in their will read, and the said Mr William Seaton being brought from the priſon to the bar and haveing made his acknowledgement received a repremand upon his knees and was diſcharged from his Impriſonment.

DRAUGHT of an Act brought in from the Committy of trade reſcinding the 27 Act of the Parliament 1663 anent the ordering and diſpoſall of forraigne trade read for the firſt time.

DRAUGHT of an Act from the Committy for Security againſt prophaneneſs read for the firſt time and the Draught of the said Act appointed to be printed in order to be considered by the Members of Parliament.

OVERTURE for an Act regulating protests for remede of Law read and remitted to the Committy for Security.

THE Draught of the Act brought in from the Committy for preventing wrongous impriſonments being again proceeded in, after some amendments made thereon, the farder conſideration of the reſt of the said Act was adjourned till the next dyet of Parliament.

ORDERED that the Committies do meet to morrow at eight of the clock in the morning.

THE Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday November 23. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the petition given in by Sir Alexander Hope of Kerse against the heirs of the Earl of Bramfoord which was for-

merly ordained to be seen may be now taken to consideration, and the same being again read, and there being no anſwers made thereto the deſire therof was granted.

DRAUGHT of an Act againſt Butchers being Graziers read for the first time and ordered to lye on the table.

. . . . . .

[ACT againſt Butchers being Graſsiers.

OUR Soveraigne Lord considering the great prejudice that doeth enſhew to the Leidges by the permitting of Butchers being Graſsiers doth with advyce and consent of the Eſtates of Parliament Statute and Ordaine that after the terme of Whitſunday nixt, noe Butcher that within tuelve moneths befor the date of this Act hath exerceiſed the trade of a Butcher, or ſhall hereafter exerceiſe the ſaid trade ſhall have power or be allowed to fermegraſs from any of our Leidges either in his own name, or in the name of any other perſone for his behoof, or to be partiner with any perſone in the fermeing of graſs for the breeding or fatting of catle and that under the payne of paying the ſoume of toties quoties as it ſhall be proven that they have contraveened this act, wherof the one half to be given to the informer and the other half to be applyed for the uſe of the poor of the parochen within which the ſaid graſe does lay.

23 Novr 1700.
This Act read in Parliament the firſt tyme.]

. . . . . .

PETITION William Paton of Panbolls craveing the Parliament to consider the report of his damnages sustained by the Rebells in the year 1689 and to adviſe the probation, read and remitted to the Committy for Elections.

THE Act for secureing the Protestant Religion and Presbiterian Government, and the Act for preventing the grouth of Popery both touched with the Scepter by his Majeſties High Commiſsioner in the usuall manner.

OVERTURE that an Act be brought in for defineing and declareing what Crimes are capitall and what not and likewayes for clearing what Crimes inferr the pain of Treason, and the same remitted to the Committy for reviseing the Minuts.

THE consideration of the Act against wrongous imprisonments again proceeded in and that paragraph therof anent the pains to be inflicted on persons guilty of wrongous imprisonment read; After debate a vote was proposed If the Committer shall be lyable to incapacity of publict truſt over and above the pecuniall mulcts yea or no; moved by others that a distinction be made betuixt superior and inferior Judges as to the pains of wrongous Committments and a previous vote craved to distinguish the Judges yea or no. And after reasoning as to the state of the vote the Question was put Cognoſce as to the Committer or Distinguish the Judges and carried Cognosce And therafter a vote being stated if the Committer shall be lyable to incapacity over and above the pecuniall mulcts yea or no It carried in the negative. And some amendments being made on the said Act the farder consideration therof was delayed untill the next dyet of Parliament.

THE severall Committies appointed to meet in their uſuall places on Munday next at nyne of the clock.

THE Lord Chancellour by order of his Majeſties High Commiſsioner adjourned the Parliament till Tuesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday November 26. 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the Committy for Elections be appointed to meet to bring in an report anent the election of the Shire of Wigtoun, and the said Committy ordered to meet and bring in the said report.

PETITION the Magistrats of Edinburgh in behalf of their poor craveing an impoſition upon carcadges of oxen sheep and others sold in their mercats to make up a stock for maintaining of their poor, read and ordered to lye on the table.

. . . . . .

[TO his Grace His Majeſties high Commiſſioner, and the Right Honourable the Eſtates of Parliament.

The Petition of the Magiſtrats of Edinburgh in behalf of their Poor.

THAT where the Good Town hath a numerous Poor reſiding therein without any Imployment, which by all the Methods hitherto appointed, cannot be relieved, but the ſaid Burgh hath been put to a vaſt Expence for their Maintenance, not only by voluntar Contributions of the Inhabitants, but likeways out of the publick Stoke of the Town, to the value of 10000 Merks yearly; Likeas the Petitioners for the better relieving and imploying of the ſaid Poor have lately built an Houſe, which has made a great addition to the publick Charge of the Burgh; And ſeing that the Town is moſt willing to take all poſsible courſes for imploying the ſaid Poor at work, and for that end to erect Manufactories, whereby both the ſaid Poor may be relieved, and the good policy of the Burgh and Kingdom improven and augmented, but are only ſtraitned for want of a Fond to be a neceſſary Stock for ſo good a Work, which Fond, in their humble opinion cannot be more eaſily and reaſonably obtained, then by the granting of ſome ſmall Impoſition upon the Fleſhes brought to their Mercats, ſuch as Oxen, Kine, Sheep, Lambs, Veels, &c. the ſubject that certainly may beſt bear it, eſpecially when the ſame is only craved for a few years, and to be ordered as the honourable Court of Parliament ſhall think fit.

May it therefore pleaſe his Grace, and the honourable Eſtates of Parliament, in conſideration of the premiſſes to grant the Impoſitions following, upon the Carcaſes after-ſpecified, viz. ſix ſhilling Scots upon every Ox, four upon every Cow, two ſhilling Scots upon every Sow, two ſhilling Scots upon every Veal, one ſhilling Scots upon every Sheep, ſix pennies Scots upon every Lamb, ſix pennies Scots upon every Grice, and two pennies Scots upon every Rabbet that ſhall be ſlain or ſold within the Mercats of Edinburgh and Suburbs thereof, and that the ſame Impoſition continue for the ſpace of five years ay and while it make up the Stock of Two thouſand pound Sterling, or thereby, for the ends and uſes above-mentioned, and the manner of collecting and uplifting the ſame and the overſight and application thereof may be ordered in ſuch manner as the honourable Court of Parliament ſhall think meet; your petitioners being moſt deſirous that the Parliament may name and joyn with the Magiſtrats of the ſaid Burgh ſuch perſons as they ſhall think fit, for rendering the deſign effectual, in the eaſieſt and ſureſt manner, and that an Act of Parliament with all other Clauſes needfull be paſt and exped hereupon in due form. And your petitioners ſhall ever pray.]

MOVED that it be remitted to the Committy for Security to bring in an Act for the better maintaining of the poor and repreſsing of beggars and the same remitted accordingly.

DRAUGHT of an Act from the Committy of trade in favors of Sir Patrick and James Ogilvies of Boyne relateing to the marble found in their ground read for the first time.

OVERTURE for dischargeing the importing of Brandie and other strong waters read and remitted to the Committy for trade.

DRAUGHT of ane Act from the Committy for trade for prohibiteing the importing useing and wearing of all forraigne woollen manufactories read for the first time and appointed to be printed in order to be considered by the members of Parliament.

OVERTURE for reviveing all former Laws and Acts of Parliament and Privy Council against the exportation of wool, and skins with wool, and of new strictly prohibiteing the exportation therof, read & remitted to the Committy for trade.

THE Draught of the Act from the Committy for preventing wrongous imprisonment again taken to consideration and a clause offered that the Act shall be without prejudice to inferior Judges Magistrats or Justices of Peace to impriſon in order to tryal parties disobedient and contumacious to church cenſure and persons found acting in tumults and other transgreſsors mentioned in the said clause as to which caſes it shall be lawfull to proceed as formerly the persons impriſoned haveing always relief by finding bale and demanding a tryall in manner exprest in the Act; Which clause being read after reasoning thereupon it was put to the vote Add the clause to the Act or not, and Carried in the affirmative.

MOVED alſo that another clause be added that in caſe of imminent or actual invasion rebellion or insurrection committment may proceed by order of the Privy Councill or any fyve of their number upon suspicion of acceſsion without being lyable to any penalty for the said committment the person imprisoned haveing his relief as said is And after debate theranent the Question was stated Add the said Clause or not, and Carried in the affirmative.

MOVED that the pains of wrongous imprisonment be six thouſand pounds for a Nobleman four thousand pounds for a landed Gentleman two thousand pounds for any other Gentleman or Burgeſs and four hundred pounds for other persons And the Queſtion being stated as to that Clause in the Act Approve or no carried Approve.

ALSO moved that an Clauſe relateing to the wrongous detainer be also read whereby the dayly penalties payable to the party imprisoned are modified to the sums following viz. One hundred pounds each day for a nobleman One hundred merks for a landed Gentleman Fifty merks for every other Gentleman or Burgeſs and ten merks for other perſons not to be leſsened by any authority whatſomever And farder that the wrongous detainer shall lose his office and be incapable of publict trust Which Clause being accordingly read was put to the vote Approve or not and carried Approve.

LIKEWAYES another clause read extending the Act for preventing wrongous imprisonments to the case of all confinements not consented to by the partie or inflicted by sentence after tryal and diſchargeing all close imprisonments beyond the space of eight dayes from the commitment; The Clause was agried to, and farder agried that the time for pursueing proces for wrongous imprisonments be within the space of three years otherwayes that the same shall prescribe.

MOVED likewayes that a Clause be added to this Act against the transportation of any person furth of the Kingdom without their own consent or by sentence and agried that a Clause be added thereanent.

ALSO moved that a Clauſe be added to this Act for secureing of Members of Parliament from imprisonments dureing the sitting thereof except by order of Parliament. Moved also that it be remitted to a Committy to bring in a particular act upon the said Clause And after some reasoning thereanent the farder consideration therof delayed till the next dyet of Parliament.

THE Lord Chancellour by order of His Majesties High Commiſsioner adjourned the Parliament untill to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P

Wedenſday November 27, 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

ORDERED that the Committy of Elections do meet to morrow at nine of the clock in the morning precisely in order to prepare a report as to the election of the Shire of Wigtoun and that the said report be brought in and offered in Parliament at their next Sederunt.

PETITION Anna Cockburn daughter to the deceist Patrick Cockburn of Borthwick craveing that it may be remitted to a Committy to take tryall of the matters of fact therein represented anent the loſs of her papers at the late fire and to give remeid thereunto read and remitted to the Committy for reviseing the Minuts.

. . . . . .

[UNTO His Grace the Duke of Queenſberry, His Majeſties High Commiſſioner, and the Honourable Eſtates of Parliament,

The humble Petition of Anna Cockburn, Daughter to the deceaſt Patrick Cockburn of Borthwick.

Humbly Sheweth,

THAT, where your Petitioners Writts were in the Cuſtody of Sir David Home of Croſsrig, one of the Senators of the Colledge of Juſtice my Uncle and Tutor, the time of the late dreadful fire; and were burnt with his own in his Lodging, in the Meal-Mercat on the 3d. of February laſt. And ſeing there are ſtill Inventars of the ſaid Papers extant, One ſigned by the ſaid Sir David and Sir Archibald Cockburn of Langtoun in Aprile 1683, Ane other that is lying in the Commiſſar Clerk of Edinburgh's Hands, And that the Parliament has been in uſe in ſuch Caſes, to fall on ways for makeing up of Writts deſtroyed, by ſuch unforeſeen Accidents.

May it therefore pleaſe your Grace and this Honourable Court, to commit this my Affair to ſome of your number, to take tryal of the Matters of Fact repreſented, and others to be repreſented, And to grant Diligence, and after Report of the Commitee to take ſuch Courſe for making up and ſupplying of my Papers, as Your Grace and this Honourable Court ſhall in Your Wiſdoms think fit. And your Petitioner ſhall over pray. Anna Cockburn.

Edinb: 27. Nove^r 1700.

HIS Mâties high Commiſsioner and the Eſtates of Parlāt haveing heared this petitione read in ther preſence They Remit the conſidera^one p^rof to the Committie appoynted for reviſing of the minuts to doe p^rin as they ſhall find cauſe and to grant dilligence and report p^r opinion p^ranent.

MARCHMONT Cancellar. I. P. D. P.]

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MOVED that the petition formerly given in and read for John Sochon craveing a grant for makeing Arras hangings and that the same may be erected in a Manufactory might be remitted to some Committy And the same remitted to the Committy for trade.

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[UNTO His Grace James Duke of Queensberry, His Majefty's High Commiſſioner, and to the Right Honourable Eſtates of Parliament,

The Petition of John Sochon Reſidenter in Edinburgh.

Humbly Sheweth,

THAT Whereas, by the conſtant Cuſtom of this, and all other well governed Nations, the erecting of Manufactories have always been encouraged; and the doing thereof does tend to the publick Good and Proſperity of all Nations, who does cherith and encouradge the ſame, yea conſiderable Rewards have been given to the Erectors of ſuch new Manufactories as are uſefull and profitable, and which may hinder the Importation into this Kingdom of ſeverall coſtly Commodities, and whereby great Sums of Money which uſe to be exported abroad, may be keeped within this Kingdom. And ſeeing your Petitioner hath invented and found out a way of making a new ſort of Arras, the Ground whereof is Linnen, and the Pictures thereof Woollen, of all ſorts of curious Colours, Figures, and Pictures, the ſame will not only ſave the Expence of vaſt Sums ſent abroad for forraign Arras, and other coſtly Hangings, but will alſo be a great means to ſave the Exportation of conſiderable quantities of Wooll, As alſo to imploy many hands about Linnen and Woollen Manufactories, and ſo furniſh Bread to many poor People, and others concerned in the ſaid Commodities.

May it therefore pleaſe your Grace, and the Honourable Eſtates of Parliament, and their Committee of Trade, to take the Premiſſes to conſideration, and appoint ſome of your Honourable Members to inſpect and viſit two Pieces of the ſaid Arras already done, and be pleaſed to erect the famine in a new Manufactory to your Petitioner for ſuch number of years, and with all ſuch Priveleges and Immunities as has been uſually granted to the Linnen and Bayes Manufactories, or any others in this Kingdom, with power to your Petitioner to take in Partners and erect a Stock for carrying on of ſo great a Work, and which he hopes in a ſhort time ſhall ſufficiently ſupply within this Kingdom, the uſe of all other Arras and forraign Hangings. And your Petitioner ſhall ever Pray.]

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DRAUGHT of an Act as an Overture that no Nobleman hereafter ſhall be allowed to ſit and vote in Parliament unleſs he have an Eſtate within this Kingdom of the value mentioned in the overture read and remitted to the Committy for Security.

PETITION John Corſe elder merchant in Glaſgow craveing that his work of makeing ſhearing hooks &c. be erected in a manufactory And alſo that they may have a Linnen and Woollen manufactory erected with the ſame liberties and priviledges that are granted to others read and remitted to the Committy for trade.

PETITION Alexander Monteith Chirurgeon in Edinburgh craveing that the Art diſcovered by him to draw a Spirit from Malt equall in goodneſs to true French Brandie may be declared a manufactory with the ſame priviledges and liberties as are granted to other manufactories read and remitted to the Committy for trade.

PETITION the undertakers of the manufactory of Woolſtead and other Stuffs at Pauls Work and Bonnytoun craveing that they or whom they ſhall aſsume may be erected in a Society with all priviledges & liberties granted to other manufactories read, and upon a motion It was ordered that the Magiſtrats of the Toun of Edinburgh ſee the ſame.

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[TO His Grace His Majeſties high Commiſſioner, and the Right Honourable the Eſtates of Parliament,

The humble Petition of the Undertakers of the manufactory, of the Worſted and other Stuffs, of Pauls-Work and Bonningtoun.

Humbly Sheweth,

THAT where there having been a very commendable Mortification, made by Mr. John Johnſtoun Doctor of Law, John Trotter, and David Maukcall Merchants & others for encourageing ſuch as ſhould ſet up a Manufactory, in Pauls-Work at the foot of Leith Wind, in Edinburgh. We did ſome time ago enter in a Society, for carrying on a Manufactory of Stuffs and others, and did contribute conſiderable Stocks for that end. And having alſo applyed to the Town-Council of Edinburgh, we were put in Poſſeſſion of the Mortification. But in ſo great an Undertaking and which may be ſo profitable to the Nation, We find ourſelves ſtill under great Difficulties, which Inconveniences has allready diſappointed ſeveral other conſiderable Interprizes, for making effectual the deſign of the Mortifier, and eſtabliſhing a manufactory.

We do therefore moſt humbly Repreſent to Your Grace, and the Right Honourable the Eſtates of Parliament, That this our undertaking, for making of Stuffs of all kinds, eſpecially Worſted, does merit at leaſt equal Encouragement with other manufactories. And that the conferring the Priveledges of the manufactories upon us, will not only enable us, to go through with ſo fair and uſeful a deſign, but by putting reſpect upon the memory of the mortifiers, it will encourage others to follow their good Example, in makeing mortifications for the common Benefite of the Nation.

May it therefore pleaſe Your Grace, and the honourable the Eſtates of Parliament, to erect us the Petitioners and ſuch others as we ſhall aſſume, and ours, and their Heirs and Aſſignies into a Society, and free and lawful Incorporation, with all the Priveledges, Freedoms, Exemptions, and Immunities, granted, or that may hereafter be granted in favours of Manufactories, within this Nation, under the name of the Stuff-Manufactorie at Pauls-Work and Bonningtoun, to endure for ſuch number of Years, as Your Grace and the Honourable Eſtates ſhall think fit, and to allow ane Act to be extended thereupon, in the moſt ample Form containing all Clauſes, Grants, Priveledges, or Immunities made or conceived in favours of any other Manufactory. And your Petitioners ſhall ever pray.

Edr 27 Novr 1700.

HIS Majeſties High Commiſsioner & the Eſtates of Parliat having heard this petition Ordaine the Magiſtrats of Edr to ſee & anſwer the ſame.

MARCHMONT Cancellar. I. P. D. P.]

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THE conſideration of the Act for preventing wrongous Impriſonment again proceeded in and the Clause that no perſon be transported furth of this Kingdom except with his own conſent given before a Judge or by Legall Sentence read And the ſaid Clause being put to the vote Approve or not, carried Approve.

MOVED that there be a Clause added to this Act That no members of Parliament attending ſhall be imprisoned or confined on any account whatſomever dureing a Seſsion of Parliament without warrand of Parliament reſerveing to the High Conſtable and Mariſchall their priviledges and jurisdictions in time of Parlia-

ment as formerly unleſs any member commit a capitall crime and the said Clause read.

MOVED also that the addition following be put to the said Clause viz. that if there be a manifeſt hazard of the peace any Magistrat may attach for secureing of the person or the peace and deliver the person to the custody of the Constable in order to the Parliaments cognition the next Sederunt And the said Clause with the addition being also read The Question was stated whither to add the first Clause to the Act or the second containing the said addition, and carried the Second.

AND the said Act being again read It was moved that the Clause concerning wrongous Imprisonments might run in these terms; declaring all Warrands for Imprisonments on the account forsaid either proceeding upon informations not subscribed or not expreſsing the particular Cause shall be void and null and the Judge and Officiar of the Law and all others whatsomever subscribeing the same and the Executor or Keeper of the prison who shall receive and detain the person so wrongously ordered to be imprisoned or refuse a double as said is shall be lyable to the punishment of wrongous Imprisonment Which motion was agried to and the Act accordingly amended. And thereafter the whole Act with the amendments made theron being again read It was put to the vote Approve the Act or not and carried Approve nemine contradicente.

DRAUGHT of the Act adjourning the Seſsion till the first day of January next read for the first time.

PETITION Anna Fouller relict of Mr William Arnot late minister at Ebdie against the factor of the Estate of Connochie read, And upon a motion the factor ordained to see and answer the same against the first diet of Parliament the next week.

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[TO His Grace, James Duke of Queensberry His Majeſty's High Commiſſioner, and the Right Honourable, Right Worſhipfull, and very Honoured, the Lords, Barons, and Burgeſſes, preſently assembled in Parliament,

Anna Fowler Relict of Mr. William Arnot late Minister of the Goſpel at Ebdie,

Humbly Sheweth,

THAT Your Petitioners Husband died in the Year 1696 and left Your Petitioner with five Children, without any mean of Subſiſtance, except the Sum of Four Thouſand and Six Hundred Merks principal, with several bygone Annual-Rents, which He had secured upon the Eſtate of Cunichie within the Shire of Fife; And albeit my Right and Securitie be good, Yet by the cunning and unjuſt practices of Mr. Alexander Affleck who married the appearand Heireſs his abſtracting of the Writs and conveyance of the Eſtate, I am not only excluded from the uplifting of the principall Sum, but likeways from the uplifting of the Annual Rents of which there is now Twentie four Years reſting; And albeit the Lords of Seſſion before whom the Ranking of the Creditors is depending, did appoint your Petitioner to get Payment from James Oliphant preſent Factor, of an Hundred Pound Sterlin of the bygone Annual Rents, for proſecuting of my juſt Rights, and ſupporting of my poor Family during the dependance of the Plea, upon my finding Caution to Refound in caiſe the ſame by the Event be not found due; Yet, the Lords of Seſſion their favour is proven altogether ineffectuall to me, in reſpect I am not able to find Caution, whereby I am neceſſitate to deſert the proſecution of my juſt Right, and Your Petitioner and Children Expoſed to starve, The High Court of Parliament being the Supream Judicatory of the Nation, and who have Power to diſpence Juſtice without being bound to the particular Forms by which the Inferiour Courts are bound up, and before whom the Caſes of the Widow and Fatherleſs ſhould be particularly Conſidered.

May it therefore pleaſe Your Grace and Lordſhips, to take your Petitioners Caſe to Your Conſideration, and to appoint the foreſaid Factor furthwith to pay the Hundred Pounds Sterl. modifyed by the Lords of Seſſion without caution, upon Your Petitioners granting Receipt, and Obligement to allow the ſame off the firſt and readyeſt of what ſhall be found due at the Event of the Ranking, or to remit to the Lords of Seſſion to do the ſame, upon my giving my Oath that I am not able to find caution. And Your Petitioner ſhall ever Pray.

Edr 27 Nor 1700.

HIS Majesties High Commiſsioner & the Eſtates of Parliament haveing considered this petition Ordaine the within factor to see & anſuer the ſame against the first ſederunt of Parliat the nixt week.

MARCHMONT. Cancellar. I. P. D. P.]

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ORDERED that the severall Committies do meet to morrow at nyne of the clock in their usual places.

THE Lord Chancellour by order of His Majeſties High Commiſsioner adjourned the Parliament till Friday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday November 29, 1700.

PRAYERS said Rolls called.

TWO Commiſsions being produced from the Shire of Air, one to Mr John Campbell of Shankſtoun and the other to John Brisbain younger of Bishoptoun for supplieing the place of the Laird of Rowallan late Commiſsioner for that Shire deceiſt Which Commiſsions being conteſted were remitted to the Committy for elections to take tryall and report.

MINUTS of the laſt Sederunt read.

PETITION William Baillie of Hardingtoun craveing warrand for citation of his creditors therein mentioned in order to the obtaining of an personall protection read and a warrand for citation accordingly granted.

PETITION Sir John and John Shaws elder and younger of Greenock craveing that the Act brought in from the Committy of trade allowing the impositions therein contained for building an harbour at Greenock be now past and the Draught of the said Act being also read It was ordered to lye upon the table that all parties haveing interest may have occasion to see the same.

OVERTURE that a certain number of persons be allowed to attend His Majestie in order to the affairs therein mentioned, Also another Overture for secureing the free voteing of Parliaments, both read and ordered to lye on the table.

HIS Majesties High Commiſsioner signified to the Parliament that it was expected that the buſsineſs mentioned in the Resolve of Parliament might have been finished before this time, but the funds for maintaining the forces being now at an end it's neceſsary the Parliament should presently enter upon the consideration of that matter or otherwayes Resolve that the forces upon the present establishment shall be provided for some time till these matters be dispatched.

MOVED that the Resolve past in Parliament of the eight of November instant be read and the same was accordingly read And after reasoning upon the matter proposed by his Majesties High Commiſsioner a Resolve was offered in the terms following viz. Resolved in regaird the forces upon the present establishment cannot be continued longer then the first of December next without consent of Parliament And that by a previous Resolve of this Parliament the regulation of trade as to export and import, and the buſineſs of Caledonia must be first considered that therefor the forces upon the present establishment, shall continue till the first of January next and be subsisted accordingly; which Resolve being read, after some reasoning thereupon the Question was stated Approve of the Resolve or not and carried Approve.

ACT for adjourning the Seſsion till the first of January next again read and being put to the vote Approve or no carried Approve.

THE said Act touched with the Scepter by His Majesties High Commiſsioner in the usuall manner and ordered to be proclaimed.

THE several Committies appointed to meet to morrow at nine of the clock in their usuall places.

THE Lord Chancellour by order of His Majesties High Commiſsioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday December 2, 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

Sir Andrew Agnew of Lochnaw one of the Commiſsioners for the Barons of the Shire of Wigtoun excuſed by his Grace His Majesties High Commiſsioner in respect of his indisposition.

PETITION for the Earl of Argyle and others creditors to the late Marques of Argyle craveing Warrand for raiseing Reduction and Improbation of the decreit of forfaulture pronunced against the said Marques of Argyle and for citeing the Duke of Gordon and others to appear before the Parliament to the effect therein mentioned read, And a Motion being made that the said Petition be allowed to be seen and answered; After Debate the Question was stated Grant Warrand to Cite or see and answer the Petition and carried Grant Warrand to Cite.

MOVED That the Petition given in by Liwetennant Collonell Erſkine against the Countes of Kincairdine which was allowed to be seen and anſwered against Friday laſt may be now read: And agried that the ſaid Petition and Anſwers thereto be taken into conſideration the next dyet of Parliament.

DRAUGHT of an Act brought in from the Committy for trade anent the Woollen manufactories again read, Moved that the twelveth Act of the Parliament 1681 entituled Act for Encourageing trade & manufactories be also read, and the same accordingly read Moved also that either there be a Clause added Dischargeing the Exportation of all Wool or Skins with Wool or otherwayes that the consideration of this Act be delayed untill a particular Act be brought in theranent And after reasoning thereupon it was agried that the Act anent Woollen Manufactories lye on the table untill the Act against the Exportation of Wool be brought in from the Committie that both Acts may be under the Parliaments consideration.

THE Draught of the Act from the Committee of trade for rescinding the 27 Act of the Parliament 1663 relateing to the ordering and disposall of forraigne trade again read, And after some amendments made thereon it was put to the vote Approve the Act or not and carried Approve.

DRAUGHT of the Act from the Committie for trade in favors of Sir Patrick and James Ogilvies elder and younger of Boyne relateing to the marble found in their own ground read, and the farder consideration thereof delayed till the next dyet of Parliament.

THE severall Committies appointed to meet on Wednesday next at nyne of the clock.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Thursday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thursday December 5, 1700.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHT of the Act from the Committie for Security against prophanenes read, and after some debate thereanent Two Overtures were read for additions to the said Act and the same with the Overtures relative thereto remitted back to the Committee for Security.

MOVED that the Committee for Elections do make a Report of their procedure as to the Election of the Shire of Wigtoun; and Ordered that the Report thereanent be made against the first dyet of Parliament the next week.

DRAUGHT of the Act from the Committee for trade against the Exportation of Wool, Skins with Wool, Woolsted and Woollen Yearn read for the first time and allowed to be printed in order to be considered by the Members of Parliament.

DRAUGHT of the Act from the Committie for trade anent Woollen Manufactories read, and the same again read in paragraphs, after debate thereupon the farder consideration thereof was delayed untill the next dyet of Parliament.

OVERTURE anent the Sealing of all Cloath manufactured within this Kingdom read and remitted to the Committee for trade.

THE severall Committies appointed to meet to morrow at nine of the clock in the usual places.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday December 6, 1700.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHT of an Act for allowing to the Duke of Hamilton the imposition therein mentioned for building a pier and harbour at Borſoustounnes read for the first tyme.

PETITION Livetennent Collonell Erskine against the Counteſs of Kincardine with the answers made thereto read, After debate the Question was stated Whither to grant Warrand to Cite the Counteſs to answer to that part of the petition that she shall insist to discuſs her second appeal therein mentioned yea or nay and Carried in the affirmative.

DRAUGHT of the Act from the Committie of trade anent Woollen Manufactories again read in paragraphs and after debate the Question being stated Whither to burn forraign Manufactures imported contrare to the said Act yea or nay It Carried in the affirmative, And thereafter the Question being stated Whither to burn the haill or only the half and Carried the haill.

MOVED that an Clause be added to the Act for the greater Encouragement of such as shall make Seizours that it be farder statute that in case any person shall make the said Seizure of goods and shall make faith that he is not able to discover the owner of the goods seized in that case he shall have the Reward of one hundred pounds or proportionally under if the goods be not of that value to be payed to him by the next Collectors of His Majesties Customes under the pain of the double Which Sum of reward is to be allowed to him in his Accounts and this additionall Reward to endure till the next Seſsion of Parliament and no longer, and the said Clause being read it was put to the vote Approve the Clause or no, carried Approve. Also Moved That the Ship which brings in any of the prohibite Goods shall be lyable to Confiscation and be immediately sold by roup and the one half of the pryce to belong to the Discoverer and the other half to the King and a Clause thereanent being read, It was put to the vote Approve or noe and carried Approve, And the farder Consideration of the said Act anent Woollen Manufactures delayed till the next dyet of Parliament.

ORDERED that the Committees do meet to morrow morning at nyne of the clock in their usuall places.

THE Lord Chancellor by order of His Majestics High Commiſsioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday December 9, 1700.

PRAYERS said Rolls called.

COMMISSION to Mr John Campbell of Mammore brother german to the Earl of Argyle for being one of the Commiſsioners for the Barons of the Shire of Argyle in place of the deceist Sir Duncan Campbell of Auchinbreck presented And it being moved that the Commiſsion should be read the same was accordingly read, And thereupon Mr John took the oath of alleadgeance signed the same with the aſsurance and aſsociation and took the oath of Parliament.

MINUTS of the last Sederunt read.

MOVED that the Committie for Elections do make Report of their procedure in relation to the Election of the Shire of Wigtoun And Report being made that they had examined the witneſses adduced by both parties as to the complained of encroachments at the said Election but had not yet considered the rights of the Electors or persons elected against whom objections were made some of the said rights not being as yet produced before them.

AFTER Reasoning it was agreed that first the Report of the Committee in so far as concerned the Sheriffs procedure be taken to consideration and next the procedure of the Lords and others And if after advising the probation as to the procedure of the Sherriff & Lords both Elections be not annulled then the Parliament is to consider the rights of such of the Electors and persons elected as were objected against.

THERAFTER the Report of the Committee in relation to the Encroachments complained of at the said Election read, And the Act of Parliament in the year 1681 concerning the Election of Commiſsioners for Shires also read After debate the Question was stated Whither the Sherriffs procedure in manner mentioned in the report annuls both the Elections yea or nay and Carried in the affirmative.

IT was also moved that it be declared that the procedure of the Sherrif and likewayes of the Lords and others at the Election of Wigtoun as mentioned in the report of the Committee was an Encroachment on the freedom of the Election of Barrons, and the said Declaration being written and read, After debate the Question was thereupon stated Approve or not, and carried Approve.

THE Committees appointed to meet to morrow at nyne of the clock in the morning in their usual places.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Wednesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Wednesday December 11, 1700.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

PETITION moved for the Earl of Annandale that Warrand be granted to cite Sir Robert Grierson of Lag to inſiſt before the Parliament to diſcuſs the protest for remead of law taken by him againſt the ſaid Earl and a Warrand for Citation accordingly granted.

THE Report from the Committee in relation to the contraverted Election for the Shire of Air read and the Acts of Parliament mentioned in the ſaid report alſo read, After debate the Queſtion was stated Sustain the Objection That by the Acts of Parliament in the years 1690 and 1693 the freeholders are oblidged to take the oaths at every Election of a Commiſsioner to the Parliament altho they had taken the oaths at former Elections in the same shire yea or nay and Carried in the negative.

ORDERED that an Warrand be ishued out in the usual forme for Electing a Commiſsioner for the Barons of the Shire of Wigtoun in place of William Mackdowall of Garthland deceist (in respect the former Elections of Commiſsioners for suppliеing his place is by a vote of Parliament declared null) and Tuesday the last day of December instant appointed for makeing the said Election.

MOVED that an Overture presented for the freedom of Election of Commiſsioners from the Barons and freeholders be read, and agried that the same be read after the Act anent Woollen Manufactories is finished.

THE Draught of the Act from the Committy of trade anent Woollen Manufactures again proceeded in and severall amendments made thereupon, and the whole Act with the amendments being read over It was ordered to be transcribed in mundo against the next dyet of Parliament.

APPOINTED that the Committies do meet in their usual places to morrow at nyne of the clock in the morning.

THE Lord Chancellour by order of His Majesties High Commissioner adjourned the Parliament till Friday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday December 13, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

DRAUGHT of the Act from the Committee for trade anent Woollen Manufactures again read, and a Clause offered that it be provided that all the prohibited goods imported since the day of June 1699 shall fall under the prohibition and certification contained in the proclamation then emitted and Acts of Parliament whereupon it proceeds And the Question being stated Add the said Clause to the Act or not, it carried Add, and the Clause being accordingly added it was put to the Question Approve of the Act or not, and carried Approve.

PETITION George Lockhart merchant and others inhabitants of the City of Glasgow read and after some debate leave being craved to withdraw the said Petition the same was allowed and the Petition accordingly withdrawn.

MOVED that there be a day appointed for hearing the Cause at the instance of the Laird of Pourie against the Lord Gray and others and agried that a day be appointed for hearing the said Cause when the Parliament proceeds to consider privat affairs.

OVERTURE for the more free Elections of Commissioners from the Barons and freeholders read and ordered to lye on the table.

MOVED that the Committie for trade make report of the Overtures remitted to them by the Parliament for regulating the trade with France, and the said report appointed to be made against the next Sederunt that the same may be taken to consideration after the Act dischargeing the Exportation of Wool is finished.

THE Draught of the Act from the Committie of trade against the exportation of Wool &c. read, and thereafter the same read in paragraphs, Moved that this Act dischargeing the Exportation of Wool be only temporary for a certain definite time And after debate the Question was stated temporary or not and carried temporary. Thereafter Moved that the time for which this Act is to continue be determined and after reasoning the Question was stated Whither this Act against the Exportation of Wool should continue till the next Session of Parliament inclusive or for fyve years and the next Session of Parliament thereafter inclusive And Carried for fyve years and the next Session of Parliament thereafter inclusive.

AGRIED that the matter of the English and Irish Wool do remain intire to be considered in Parliament notwithstanding of the forsaids votes.

ORDERED that the Committies do meet to morrow at nyne of the clock in their usual places.

THE Lord Chancellour by order of His Majesties High Commissioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday December 16, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

MOVED that there be a day appointed for hearing the Cause upon a protest for remede of law at the instance of Mr Alexander Higgins against John Callendar and agried that a day be appointed for hearing thereof when the Parliament proceeds to consider privat affairs.

MOVED that the Committee of Elections be appointed to meet and bring in an report as to the contraverted Election of the Shire of Air, and Ordered that the said Committee do meet to morrow and that report be made of the said Election against the first Sederunt of Parliament the next week precisely.

THE consideration of the Act from the Committee of trade dischargeing the Exportation of Wool &c. again proceeded in, And that part thereof dischargeing the Export of Skins with wool upon them spoke to and after reasoning thereupon the Question was stated Prohibite the Exportation of Skins with wool upon them dureing the space of fyve years and the next Session of Parliament thereafter inclusive yea or nay; and Carried in the affirmative And after several amendments made upon the Act an debate ariseing as to that Clause thereof prohibiteing the Importation of English and Irish Wool the farder consideration thereof was delayed till the next dyet of Parliament.

ORDERED that the Committees meet in their usual places to morrow at nyne a clock in the morning.

THE Lord Chancellor by order of His Majesties High Commissioner adjourns the Parliament till Wednesday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Wednesday December 18, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

DRAUGHT of the Act from the Committee of Trade dischargeing the Exportation of Wool &c. again proceeded in, and that Clause therof prohibiteing the importation of English and Irish Wool read; Moved that the matter of English and Irish Wool be considered both as to import and export, that being reserved intire by the former Minuts and that first the Parliament may determine as to the import of the said Wool; And after some debate the Question was stated Allow the importation of English and Irish Wool or prohibite the same for a time and carried Prohibite for a time: Thereafter moved that the time of the said prohibition be determined, and a vote being stated Prohibite the Importation of English and Irish Wool till the first day of January 1702 or till the next Session of Parliament inclusive and Carried till the first day of January 1702.

ALSO moved that the export of the English and Irish Wool be discharged till it be considered in the next Session of Parliament and some other proposalls being made thereanent the same was adjourned till the next dyet of Parliament.

DRAUGHT of the Act from the Committee of Trade prohibiteing the importation of any Liquors whatsomever of the growth of

France except in the terms thereinmentioned read. Moved that another Overture prohibiteing the Importation of all Wine from France for the time therein specified be also read, and the same was accordingly read, And ordered that both the Draught of the said Act from the Committee, and likewayes the other Overture lye on the table.

APPOINTED that the Committees meet to morrow at nine of the clock in the morning.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till Friday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday December 20, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

THE consideration of that part of the Wool Act concerning the exporting of English and Irish Wool again resumed, and severall proposalls thereanent being made After some Reasoning the Question was stated Except the Exportation of English and Irish Wool from the generall prohibition contained in the Act yea or nay and Carried in the affirmative Thereafter moved that the time of the commencement of the said exception be determined And the vote being put If the Exception should commence from the first day of January 1702 or from the next Seſsion of Parliament incluſive and carried from the next Seſsion of Parliament incluſive. And a Clause relative thereto being written and read the same was agreed to and added to the Act and the whole Act against the exportation of Wool as amended being read It was put to the vote Approve the Act or not and carried Approve.

MOVED that the two dayes Minuts of the Proceedings in Parliament dated the twenty seventh and thirtieth dayes of May last be ordered to be printed, and the same ordered accordingly.

DRAUGHT of the Act from the Committee of Trade prohibiteing the importation of any Liquors of the grouth of France except in the terms therein mentioned read, Also three other Overtures prohibiteing the importation of French Wine likewayes read.

OVERTURE for encourageing the planting of Tobacco in this Kingdom read, and remitted to the Committee for Trade.

OVERTURE for Measureing and Sealing of Linnen and Woollen Cloath and an Overture for dischargeing the Exportation of Linnen Yearn both remitted to the Committee for Trade.

ORDERED that the Committies meet to morrow at nyne of the clock.

The Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday December 23, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

ORDERED that a Warrand be iſsued out in the usuall forme for Electing a Commiſsioner for the Barons of the Shire of Peebles in place of Alexander Murray of Hallmyres deceist, and Tuesday the last of December instant appointed for makeing the said Election.

PETITION for the Earl of Argyle and creditors of the deceist Marques of Argyle craveing that the Clerks of Parliament and Keeper of the Records be ordained to exhibite upon oath the proces of forefaulture against the said Marques of Argyle with the haill grounds and warrands thereof in the hands of the Clerk to the petitioners Reduction and that some Members of Parliament be appointed to receive the Clerks and Keepers depositions thereanent read; And it being moved that the said petition be allowed to be seen and answered After debate the Question was stated Grant the desire of the petition or Allow the same to be seen and answered, and carried Grant the desire of the petition And the Committee for reviseing the Minuts appointed to take the forsaid persons oaths for the exhibition of the said proces.

PETITION the Laird of Innes craveing likewayes that the forsaid proces of forfaulture against the Marques of Argyle with the haill grounds therof may be transmitted, read, and the desire thereof granted.

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[TO his Grace His Majeſties High Commiſſioner, and the moſt Honourable Eſtates of Parliament,

The Petition of the Laird of Innes younger, with the concourſe of his Father Sir James Innes of that Ilk.

Humbly ſheweth,

THAT where your Petitioners Proces againſt the Duke of Gordon, Donator to the Forefaulture of the Marquiſs of Argyle (for hearing it found and Declared by Decreet of Parliament, that the ſaid Forefaulture ought not to prejudge your Petitioners Wodſet Right from the ſaid Marquis, and that for the Reaſons of Nullity of the ſaid Forefaulture, ſo far as concerns your Petitioners ſaid Wodſet Right) is now called and given out to the Dukes Procurators, and wants nothing for entering upon the Debate on whatever day the Parliament thinks fit to appoint after the return of the Proces; but that James Hamilton of Pencaitland one of the Clerks of Parliament, and Keeper of the Records of Parliament, be ordained to tranſmit the ſaid Proces of Forefaulture, Libel, Executions, Minuts of Debate, hail Signatures and Interloquitors, with all the Depoſitions of Witneſſes and whole Writs and Documents adduced by way of Probation in the ſaid Proces of Forefaulture, and that into the hands of Mr. Alexander Gibſon of Durie another of the Clerks of Parliament, and Clerk to your Petitioners ſaid Proces of Declarator of Nullity, in reſpect that there never having been any Decreet of Forefaulture extracted in the ſaid Proces of Forefaulture, that might be laid before his Grace and Eſtates of Parliament, the Keeper of the Regiſters will not tranſmit the Proces of Forefaulture and grounds thereof into the hands of the ſaid Clerk of your Petitioners Proces without ſpecial Warrand.

It is therefore humbly intreated, his Grace and Eſtates of Parliament, will be pleaſed by their deliverance hereupon, to ordain the ſaid James Hamilton, Keeper of the ſaids Records, to exhibite and produce the ſaid Proces of Forefeiture, Libel, Executions, Minuts of debate, Interloquitors, Depoſitions, and haill other Documents and Writs relative thereto, and Grounds and Warrands of the ſame, into the ſaid Clerk of your Petitioners Proces his hands, conform to an Inventar to be made thereof. And that in reſpect your petitioners proceſs is ſein and returned to appoint a day for hearing in the ſaid cauſe. And your Petitioner ſhall ever pray.

Edr 23 Decr 1700.

HIS Majeſties High Commiſſioner & the Eſtates of Parliat having Conſidered this petition They Grant the deſyre yof and

Grant warrand to þe Committie for reviſeing the Minuts to take þe Oaths of þe Clerks & keepers of þe records on ther haveing of þe proceſs w^tinmentioned and ordaine them to exhibite ſuch pairts of the ſd proceſs as is acknowledged in þe hands of þe clerk of the proceſs there to remaine for þe uſe of þe pairties concerned.

MARCHMONT Cancellar. I. P. D. P.]

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[INVENTORY of the Proces of Forefaulture at the inſtance of Sir John Fletcher his Majeſties Advocat againſt Archbald Marques of Argyle delivered up conform to an Order of Parliament dated the twenty third day of December I^m and vij^cv years to Sir James Dalrymple one of the Depute Clerks of Parliament by James Hamilton another of the ſaid Clerks and Keeper of the Records in the Lower Parliament Houſe in preſence of the Committy of Parliament at whose ſight the ſame were appointed to be delivered.

THE Inditement at the inſtance of the ſaid Sir John Fletcher ag^t the ſaid Marques.

The Execution thereof againſt him perſonally apprehended in Ed^r Caſtle upon the laſt day of January I^m vj^c· and ſixty one years subſcribed by Mungo Murray Ormond purſevant.

The Marques his Defences written book wayes on twenty two whole leifs and four little papers sewed in amongſt them in four ſeverall places upon the margents of which Defences there are thirteen Interloq^rs written.

The Lord Advocats Replyes written book wayes on twelve whole leifs and a little paper pinned in betwixt the nynth and tenth of them marked and ſubſcribed on the back by him.

A Letter direct by the Marques of Argyle from Inverary 21 July 1653 to Collonell Lilburn Commander in Chief of the Forces in Scotland.

Another Letter direct by him to the ſaid Collonell, haveing no date.

Another directed by him from Roſeneath 30 August 1653 to the ſaid Collonell Lillburne.

Another directed by him from Glaſgow 25 May to Mr Clerk servitor to Generall Monk Commander in Chief of the Forces in Scotland; Upon the back whereof the production of the ſame in Parliament 24 May 1661 and my Lord Argyle his acknowledgeing the same to be his hand write, is written.

Other two Letters both wanting dates, and directed by the ſaid Marques to Generall Monk Commander in Chief of the Forces in Scotland haveing the production and acknowledgement written on the back of them both as ſaid is.

A Copy atteſted and ſubſcribed by Edward Nicholas of a declaratione by Richard Coots brother to the Earl of Mountreath againſt the ſaid Marques dated 28 Dece^r 1660 years.

A Declaration ſubſcribed and sealed by Ri: Dean anent ane agreement betwixt him and the Marques concerning the Highlanders in Argyle their laying down arms, dated 28 October 1652.

A Scroll of a Declaration not signed about the Government of the Kingdom and another upon the ſame paper concerning the Forces of the Commonwealth of England their marching to the Highlands.

Depoſitions of the witneſſes after named vi3. upon the third day of May I^m vj^c· and sixty one years The Depoſitions of William Duke of Hamilton John Cuningham Baillie of Dunbartoun John White Alexander Ramſay, the Lord Forreſter and Herbert Gledstaines, another Depoſition of the ſaid Herbert dated 6 May 1661. And of the same date the Depoſitions of Gavin Walkinſhaw of that ilk, Hew McDowall in Lorne, John Semple younger of Fullwood, John Carſwell one of the Life Guard, and John McNaughtan. And on 7 May 1661 the Depoſitions of Robert Perkine Engliſhman Walter Watſon Provoſt of Dunbartoun, Major David Ramſay, Captain James Thomſon Engliſhman. And on 8 May 1661 the Depoſitions of Angus McLachlane son to the Captain of Inchconnell, Hary Oneill Engliſhman of the Life Guard, Daniel Oneill souldier in the Gariſon of Leith, Archbald McLean, and Donald McLean of Ardhorrons And on 16 May 1661 the Depoſition of John Campble Captain of the Caſtle of Dunſtafnage Likewayes an additional Depoſition of his dated 20 May 1661. And on the ſaid 16 May the Depoſition of John Campbel of Alchachtane. On 17 May 1661 the Depoſitions of Mr John Harper Advocat and Coline Campbell of Lochniel. And on the 20 May 1661 the Depoſitions of William Douglas in Inverary and Sir John Campbel of Glenurquhy all written on severall sheets and half sheets of paper joyned together.

There are alſo upon ſeperat sheets and half sheets of paper the Depoſitions dated 7 May 1661 of John Carsane of Sennick William Grierſon of Bargattan and John Lord Kirkcudbright. On the 8 May the Depoſitions of John Campbel Captain of Dunſtafnage and George Earl of Linlithgow. On 10 May the Depoſition of Sr James Lumsdean of Inuergellie. On 16 May the Depoſitions of Thomas Urquhart servitor to the Earl of Aboyne, William Lord Mordingtoun, Sir James Foulis of Colingtoun, and Sir Robert Douglas of Blackerſtoun. On 20 May the Depoſitions of Thomas Calderwood Baillie of Edinburgh, James Cuningham brother to the Laird of Robertland, James Anderſon Writer in Edinburgh Sir Robert Farquhar of Munie, Archbald Murray ſiar of Blackbarrony and George Lockhart Advocat. And on 21 May 1661 the Depoſitions of Sir Alexander Gibson of Durie and Mr Alexander Seton of Pitmedden.

Alſo there are on three other seperat sheets of paper the Depoſitions of the following witneſſes (which seem to relate to the proces at Lamounts inſtance againſt the Marques) vi3. the Depoſition of John Cunningham in Knockdaw dated 25 Aprile 1661. On 27 Aprile the Depoſitions of John Carſwell son to Neill Carſwell sometime of Carnaşereth and Duncan McGibbon of Auchtingarron. On 2 May the Depoſitions of Mr Ewing Campbel in Auchtahowan Ewing McLean in Killmichell Duncan Lamont of Stronnalbanoch and John McPherſon in Killfeinan. On the 8 May the Depoſitions of Alexander Leitch miller in Auchinwyllie Donald McHerries of Glenſhiells Patrick McIllfoyne in Craigcoall Robert Wallace in Rotheſay in Bute & Duncan McDougall of Kilbryde. And on 25 May 1661 the Depoſition of Duncan Currie now in Caiddermuir.

A Petition for and signed by the ſaid Marques to the Parliam^t with two Interloq^rs written thereon the firſt dated 23 and the next (refuſeing the deſire of the petition) upon 24 May 1661.

Scroll of the Decreet of Forefaulture dated 24 May 1661 written on four sheets of paper not joyned together.

The Minuts of the Parliament 1661 written book wayes upon fourty six leifs of paper.

There is alſo a Summonds of Forefaulture or Treaſon at the inſtance of the ſaid Sr John Fletcher His Mäties Advocat and Sir James Lamont of Inueryne &c. ag^t the ſaid Marques and others signeted January 1661.

Copy of an Order from King Charles to Lamont dated 24 March 1643 togither with a Copy of the Articles of Capitulation betwixt Lamount and James Campbell and others anent the Gariſon of Towart.

Petition for Lamount with two Interloq^rs theron dated 18 Jan^ry 1661 granting warrand to a Meſs^r for executeing his Summonds ag^t the ſaid Marques and others. Ja Hamilton.

Ed^r Dec: 28. 1700.

THE Wrytts contained in the w^tin Inventar wer delivered to Sir James Dalrymple clerk to the proceſse of reduc^on of the Forfaultur of the Marquiſe of Argile in preſence of Sir John Lauder of Fountſinhall & Mr David Dalrymple by Order of Parliam^t the 23^d inſtant.

Jo: Lauder.
David Dalrymple.]

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PETITION the Earl of Mortoun craveing that the Act of Parliament Decreet and Renunciation therin mentioned be rescinded & reduced and that Warrand be granted to cite the Officers of State and other persons needfull to the effect therein ſpecifeit, read, And his Majesties Advocat haveing desired to see the said petition, after reasoning thereupon Warrand for citation was granted, reserveing to His Majesties Advocat all his legall defences and particularly his defences upon the said act of annexation as accords.

MOVED that there be a day appointed for hearing the Cause at the instance of Livetennent Collonell Erskine against the Countefs of Kincardine and the proces at the Countefs instance against him And agried that a day be appointed for hearing of the said Causes when the Parliament proceeds to consider privat affairs.

PETITION James Farquharson of Finzeon and others craveing that Warrand be granted to the Commiſsion for teinds to sustain proces for proveing the tenor of certain Decreets of prorogation which were lost in the late fire or to remit the same to a Committie to take such courses for makeing up thereof as they should find just. Also an Overture for a generall Act for makeing up the Registers and Writts belonging to the Commiſsion of teinds which were lost in the late fire. And both the said Petition and Overture remitted to the Committie for Security of the Kingdom.

MOVED that a day be appointed for hearing of the cause at the instance of the Laird of Moriestoun against Sir James Cockburne and others, And agried that a day be appointed for hearing of the said Cause when the Parliament proceeds to consider privat affairs.

. . . . . .

[TO his Grace His Majeſties high Commiſsioner, and the Right Honourable Eſtates of Parliament.

Sir James Cockburn of that Ilk & his Creditors.

Humbly ſheweth,

THAT the Petitioner having been cited to compear before the firſt Seſſion of this preſent Parliament, at the inſtance of the deceaſt John Ker of Moriſtoun, to hear certain Bonds granted by the deceaſt Mark Ker his Father, and to which the Petitioner for onerous Cauſes had acquired Right, reduced and extinguiſht; the ſaid John Ker did obtain the matter to be remitted to the Committee of Fines and Forefaultures, and taking then advantage of the Petitioners circumſtances, who was under the apprehenſion of many perſonal Diligences, at the inſtance of the Laird of Langtouns Creditors, to whom he alſo ſtood bound, and could not for this Reaſon compear to defend himſelf, did inſiſt before the ſaid Committee with the utmoſt Application, But as ſoon as the Petitioner was in ſafety to compear and make his Defence, by the production of his Writes, the matter was appointed to be heard in full Parliament; and ſince the ſecond Seſſion of this preſent Parliament, the Heirs of the ſaid John Ker have not thought fit to inſiſt.

Wherefore ſeing there are juſt and conſiderable Debts due to the Petitioner, by vertue of theſe Bonds, upon which no other Judicature in the Kingdom can ſuſtain Proceſs, becauſe of the dependence before the Parliament, and that the Purſuers have never inſiſted in this matter during the many Seſſions of Parliament that have been ſince the Proceſs was firſt intented, that the Committee to whom it was firſt remitted is long ago extinct, and that it is reaſonable a purſuit in Law ſhould ſome time have an end. And laſtly that the caſe is purely civil, and proper to be decided by the Judge Ordinary in the firſt inſtance, the remedy of Appeal to the Parliament being ſtill competent to either party as they ſhall find themſelves leſed.

That therefore it would pleaſe his Grace, and the Right Honourable the Eſtates of Parliament, to remit the Tryal and Deciſion of the foreſaid Proceſs depending before the Parliament, to the Lords of Council and Seſſion. And your Petitioner ſhall ever pray.

Ed^{r} Nov: 20th 1700.

HIS Majeſtys High Commiſſioner and the Eſtates of Parliam^{t} having conſidered the within peti^{on} They heerby ordain the heires of the deceaſt John Ker of Morieſtoun & p^{r} tutors or curators to ſee & anſwer the next dyet of Parliament.

MARCHMONT Cancellar. I. P. D. P.

Ed^{r} Dec. 23^{1} 1700.

HIS Majeſtys High Commiſsioner & the Eſtates of Parliam^{t} declare they will hear the caice betwixt the peti ner Sir William Paterſon & his other creditors & John Ker of Moriſtoun & appoint a dyet for that effect when they com to conſider privat affaires.

MARCHMONT Cancellar. I. P. D. P.]

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[UNTO his Grace His Majeſties high Commiſſioner, and the Right Honourable the Eſtates of Parliament.

Answers by way of Petition, for Andrew Ker of Morieſtoun, and his Tutors, againſt Sir James Cockburn of that Ilk.

Humbly Sheweth,

THAT the deceaſt Mr. Mark Ker of Moriſtoun, your Petitioners Grandfather, having the two firſt and preferable Rights on the Lands of Crumſtane, viz. a Wadſet for 33200 merks, and an Infeſtment of Relief for 28579 merks, wherein Moriſtoun was bound Cautioner for Mr. Alexander Spotſwood of Crumſtane.

Sir James Cockburn having an earneſt deſire for thir Lands, as lying contigue with his Barony of Dunce, he buys in Moriſtouns two Rights in anno 1673, and for the principal Sum in the Wadſet, he and Langtoun grants a heretable Bond to Moriſtoun, and for the bygone Annualrents reſting of the Wadſet, and for ſuch Sums as Moriſtoun himſelf had actually (out of his own Cath) payed in part of the Sums contained in the Infeſtment of Relief, Sir James Cockburn at the ſame time grants Bond to Moriſtoun; But as to the Sums Moriſtoun had borrowed to clear and pay off the Debts in the heretable Bond of Relief, and to make his Infeſtment of Relief effectual, Moriſtoun had that intire confidence in Sir James Cockburn, that he by an exuberant Truſt fills in Sir James Cockburns Name in the Aſſignations he had taken from the Creditors in the Infeſtment of Relief, and leaves it on Sir James Cockburn to pay the mony he had borrowed to ſatisfie the Creditors in the ſaid Infeſtment of Relief, and retire him the Bonds, which Sir James undertook to do, and accordingly payed a part of the Bonds, and took Diſcharges, but as to the reſt he moſt unjuſtly after Moriſtouns death took Aſſignations.

Mr. Mark Ker dying ſoon after his bargaining with Sir James Cockburn, he had ſtill that confidence in Sir James, that he makes him one of the Tutors to his Children ſine qua non, and all the while he was Tutor and Curator to Moriſtouns Children, he never once pretended that there was any ſuch Debts due by Moriſtoun to him, notwithſtanding that Cockburn himſelf was continually paying Annualrents to Moriſtouns Children, and their Factor, for very conſiderable Sums all the time, and no rational man would think that Sir James Cockburn would have payed Annualrents for Sums, when he had Debts due to him that would have compenſed them.

Likeas during all the time Sir James Cockburns credit was intire, there was never any word of thir pretended Debts, but ſo ſoon as he was broken, his ſtraits prevailed with him to make over the ſaid Debts and Aſſignations to ſome of his Creditors againſt Moriſtoun, which being a great ſurpriſe to Moriſtoun and all his Friends, and Sir James having endeavoured to deprive

them of the benefit of his Oath, by making over his Right of the ſaid Debts to his Creditors, and Moriſtoun having only an unſubſcribed Accompt under Sir James his hand with the foreſaid other Arguments to make out the Truſt, Moriſtoun was neceſſitat to apply to the Parliament 1690, for an extraordinary Remedy in ſuch an extraordinary and ſurpriſing a caſe; Whereupon it pleaſed the Parliament to refer the matter to the Committee of Fines and Forfeitures, who after hearing of both Parties in their preſence, and examining ſeveral Witneſſes, brought the matter to a clear Report, which was alſo laid before the honourable Court of Parliament; Likeas, when Moriſtoun afterwards gave in a Petition to have the ſame adviſed, Sir James by way of counter Petition, gave in long Anſwers thereto, ſo that the matter was fully prepared for the Parliaments adviſing and deciding therein, But Moriſtoun coming to die, and leaving his Son the Petitioner an Infant under age, the matter has lyen over, the Tutors judging rightly, that it was plainly brought to ſuch a ſtate that their Pupil could have no detriment by the delay, but Sir James thinking to turn this to his own advantage, doth now petition your Grace and Lordſhips, that this matter may be remitted to the Lords of Seſſion, as an extraordinary Declarator of Truſt, and pretending alſo that the foreſaid Committee is extinct, and all matters remitted thereto by a late Act of Parliament remitted to the Lords of Seſſion.

To which it is anſwered, that your Grace and Lordſhips may perceive that this is no ordinary Declarator of Truſt, but rather ſuch a ſingular and extraordinary caſe, as does very well deſerve a parliamentary Remedy. But 2. The matter being brought to a ſubſcribed Report, and laid before this honourable Court, it was no longer a caſe depending before the ſaid Committee, but is moſt evidently a caſe lying ready prepared for the Parliaments determination, ſo that to crave it to be remitted to the Lords of Seſſion as a depending matter before that Committee, when it plainly lyes as a prepared Report before the Parliament itſelf, is wholly groundleſs and without any preſident.

But becauſe Sir James alledges that he ſuffers by the delay, and that a purſuit of this kind ſhould ſometimes have an end, Moriſtoun doth fully cloſe with him.

> May it therefore pleaſe your Grace and Lordſhips to call for the ſaid Report, and to proceed to decide and determine in the ſaid matter, which is ſo fully prepared for your Grace and Lordſhips final Judgement, it being evident, that Sir James only ſhifts the adviſing of the ſaid Report, and craves a Remit to the Lords of Seſſion, that he may evite the Tryal already taken, and Opinion given by the Committee, and involve your Petitioner in new Proces, and difficulties againſt all Form and Reaſon. And your Petitioner ſhall ever pray.

Edr Dec: 23. 1700.

HIS Majeſtys High Commiſſioner & the Eſtates of Parliamt Declair they will hear the caice betwixt this petiᵒner & Sir James Cockburn & Sir William Paterſon & the other creditors of the ſd Sir James and appoint a dyet for that effect when they come to conſider privat affaires.

MARCHMONT Cancellar. I. P. D. P.]

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[UNTO his Grace His Majeſties high Commiſſioner, and the Right Honourable the Eſtates of Parliament.

The Petition of Sir William Paterſon of Grantoun.

Humbly Sheweth,

THAT where there was formerly a Petition given in, in the Name of Sir James Cockburn, craving that an Action againſt him at the inſtance of Ker of Moriſtoun might be remitted to the Lords of Seſſion, to which Moriſtoun has given in Anſwers, and a Repreſentation full of obſcure Matters of Fact, and founding much upon an Holograph Accompt, alledged written by Sir James Cockburn, & craving that the Report of the Committee of Parliament appointed for Fines and Forfaultures in this caſe may be approven, wherein the Committee give it as their Opinion, that the Bonds and Aſſignations which are the Subject of the Queſtion, were retired by Cockburn as Truſtee for Moriſtoun.

But ſeing this Matter is more properly my concern than Cockburns, theſe Bonds due by Moriſtoun and aſſigned to Cockburn being affected at my inſtance as a juſt and lawful Creditor, I do therefore Repreſent for myſelf,

1. That before the Remit was obtained in anno 1690, Sir James Cockburn was broke, and under a vaſt Diligence, and this very Subject was affected by me, and therefore Sir James Cockburn was not the proper Contradictor. But Moriſtoun ought to have called his Creditors, and particularly myſelf: And in ſuch caſes, it were of dangerous conſequence to property and privat Right to ſuſtain ſuch manner of Proceſſes and Application againſt a Debitor, ſunk under Diligence, to the prejudice of lawful Creditors.

2. Moriſtouns Proceſs and the Report in it, cannot be approven, becauſe I did proceed according to the ordinary Form before the Lords of Seſſion, and obtained a Decreet of Preference in foro againſt Moriſtoun for this very Subject; and if this Proceſs betwixt him and Sir James Cockburn, before your Grace and the Eſtates of Parliament, import any thing, it muſt infer a Prejudice againſt me, and an overturning of my Decreet, albeit neither I nor the Decreet are brought legally in the Field.

3. That which renders Moriſtouns Proceſs yet more abſurd, as it's Tabled before the Parliament, is, that it was depending before the Seſſion, and being a Declarator of Truſt, was only competent before their Lordſhips in the firſt inſtance, as is clear from the 44th Act, Parl. 2. Ja. 1. Whereby it is Statute as anent Bills of Complaint, (which was the ordinary Deſignation for all Actions) whilks may not be determined by Parliament, for diverſe Cauſes belonging to the Realm, that the ſaids Bills be execute and determined by Judges and Officers of Courts whom to they pertain of Law, and gif the Judge refuſe to do the Law evenly, the Party complaining ſhall have recourſe to the King, who ſhall righteouſly puniſh ſuch Judges, that it ſhall be Example to all others. Which is renewed by the 25 Act, 6 Parl. and by the 62 Act, 8 Parl. Ja. 3. So that Moriſtouns Form of Proceſs is defective, both becauſe by Law and Cuſtom, ſuch Declarators of Truſt ought to be determined before the Lords of Seſſion, who are the Judges ordinar; and likewiſe, becauſe Moriſtoun having once Tabled his Proceſs before the Lords of Seſſion, he could not in any Form raiſe a new Proceſs before the Parliament, without diſcuſſing the former.

4. The Remit which Moriſtouns Tutors obtained, was by a ſummar Petition and deliverance, whereof I and the Creditors of Cockburn were utterly ignorant, and had I been allowed to have objected then as I now do, the Honourable Court of Parliament would have undoubtedly left Moriſtoun to the common courſe of the reſt of the Leidges; Likeas, Moriſtoun ſince that Remit has tacitly paſt from the Proces before the Parliament, in ſo far as he has ſiſted himſelf as a Defender at my inſtance before the Lords of Seſſion, and that Proces is brought to a Concluſion.

5. As the Proceſs itſelf is contrary to form and the Intereſt of juſt and lawful Creditors, ſo the Report can never be approven; for albeit I will not enter into the State of the matter, yet I beg leave humbly to repreſent, that the Report is founded upon many circumſtances complextly, and particularly upon Sir James his Contumacy in not producing the Bonds and Aſſignations called for, and his Compt-Books for clearing the Truſt, which could be no good reaſon to declare the Truſt, becauſe Sir James did offer to compear and produce the Bonds and Aſſignations, and to clear the whole Matter, if he might but have had a Protection for his perſon, but as the matter ſtood at the time, Sir James had no means to imploy Lawyers, ſo that it was impoſſible to clear his Cauſe but by a perſonal Compearance, nor could his not compearing and not producing be Contumacy, ſeing he was

under the hazard of Caption, and conſequently the Contumacy whereupon the Report is founded being purged, the Report itſelf cannot be approven, nor could Sir James his Contumacy ever prejudge me or any lawful Creditor.

I judge it not proper for me to go thorow the ſeveral pretended Preſumptions of Truſt, but in general and informative, I humbly repreſent: 1. That the Bonds and Aſſignations are clear diſtinct and poſitive Rights, and therefore are not eaſily to be removed upon preſumptions. 2. If Moriſtouns Preſumptions amounted to good and legal Evidences, they will be ſo before the Seſſion als well as before the Parliament, and the clearer they be, Moriſtoun is the more plainly in the wrong for innovating the ordinary Forms. 3. That which is urged by Moriſtoun is, that the Report ſhould be approven, and I dare ſay, if it be conſidered with regard to the Circumſtances as they ly before the Committee, it will never be approven, becauſe the chief Ground for declaring the Truſt before the Committee, was Cockburns Contumacy, which is now taken off by ſhowing a reaſonable Excuſe, and the other Circumſtances were very remote and unconcluding.

But if Moriſtoun found upon Cockburns Holograph Accompt, upon which alone he pretends by noiſe and clamor to force thorow his irregular Proceſſes, it is evident this Accompt can never juſtifie the Report, becauſe it was never before the Committee, but as Moriſtoun himſelf acknowledges was diſcovered long after, and beſides, this Holograph Accompt imports nothing, for it may be yeſterdays Date, and can never prejudge a Creditor, and if it were neceſſar, it were no hard matter to clear that the Accompt does not conclude that which Moriſtoun pretends to prove from it, but that Commentar would require a long Deduction of many matters of Fact, which would conſume more time than the whole queſtion deſerves.

May it therefore pleaſe your Grace and the Right Honourable the Eſtates of Parliament, to refuſe the deſire of Moriſtouns ſeveral Petitions, and to remit him to the common courſe of Juſtice before the Judge Ordinary, that this pretence by which I have been keept from payment theſe ten years paſt, may no longer remain uncleared. And your Petitioner ſhall ever pray.

.....

PETITION Walter Lockhart of Kirktoun craveing that in reſpect of his special caice of subsisting his troup he may have retention of so much of the pole money collected by him as may satisfie his arrears and that in the mean time execution may be sisted upon the diligence mentioned in the petition, read and ordered that the Petition be seen and answered, and in the mean time sists execution.

PETITION Sir William Craigie of Gairsey craveing that the Parliament may find he ought to be repaired of his damnages sustained through his being deprived of his Jurisdiction of the Stewartry of Orkney and Zetland the time that his tack thereof was current and to remit the liquidation of his damnages to a Committee and in the mean time to supercede diligence for the ballance of his accounts read and ordered to lye on the table.

.....

[UNTO his Grace His Majeſties high Commiſſioner, and the Right Honourable Eſtates of Parliament.

The Petition of Sir William Craigie of Gairſey.

Humbly Sheweth,

THAT I having taken Tacks of the Rents, and of the foraign Cuſtoms and Exciſe, and likeways of the Inland Exciſe of Orkney and Zetland for five years, commencing from the year 1686 inclusive for a Tack-Duty of 29700 Pounds yearly, I did at the ſame time obtain a Commiſſion of Stewartry within the ſaid Bounds, not during pleaſure, but bearing expreſly to continue during the years of my Tacks, and the reaſon was becauſe my Tacks could not be managed or made effectual without the Juriſdiction, and therefore all the Tackſmen, both before and ſince, were inveſted with the ſame Office.

After His Majeſties happy acceſſion to the Crown, Robert Elphingſton of Lopneſs obtained a Commiſſion of the ſaid Stewartry, during the currency of my Tacks.

It was not known to His Majeſty that my Tacks were current, or that I had a Right to the ſaid Office during my Tack, as will ſufficiently appear by the Narrative of Lopneſs's Commiſſion, which bears, that there was no ſtanding Tacks or Stewart in that place. I had undoubted Right to claim the continuance of my Tacks and Juriſdiction during the haill ſpace thereof, yet having no inclination to withſtand any ſignification or expreſſion of His Majeſties pleaſure to prefer Lopneſs, I did not ſtruggle, but humbly offered to renunce both my Tacks and Juriſdiction, providing that the Reſts were taken off my hands, which I could not effectually recover without the Juriſdiction.

I did apply to the Lords of the Theſaury at the time to be free of both, otherwiſe that I might retain both Tacks and Juriſdiction, but could not prevail; for their Lordſhips were pleaſed to continue my Tacks, and to refuſe to continue the Juriſdiction, and their Lordſhips ordained Lopneſs to furniſh me Deputs and Clerks to go along to the particular Iſlands and places where the Rents were due, and to decern the Debitors.

It was my part to follow the direction of the then Lords of Theſaury, not doubting but that my Damages would be repaired by their Lordſhips Juſtice, and accordingly I did require Lopneſs to furniſh me Deputs, but he refuſed, unleſs the Deputation were qualified, reſerving to himſelf the Modification of the Prices of the Victual which was no effectual Deputation at all, for ſuch Deputs could pronounce no Decreets, without conſulting Lopneſs the Principal, who was often at Edinburgh or London, and when in Orkney far diſtant from Zetland and the other Iſlands.

Upon complaint to the Lords of Theſaury for the time, there was a poſterior Act in June 1691, appointing Deputation to be granted without Limitation or Qualification, and ſuſpending the Letters at Lopneſs's inſtance againſt me, until Decreets were obtained by me againſt thoſe lyable in payment of His Majeſties Rents, and until the Days of the Charge thereupon expyred; But ſo it was, no Deputations were obtained till the year 1692, and in ſome places could not be obtained till the year 1693, and in other places the Deputs neglected me, by which means no Decreets were obtained, till a Commiſſion was granted to Baillie Brand, and ſome Vaſſals are not decerned to this day, as particularly Lopneſs himſelf and his Deputs, who are Debitors in upwards of 2000 lib. Scots, as appears by ſigned Accompts under my Deput Chamberlains Hands.

Notwithſtanding of my being ſo circumſtantiat, whereby I have loſed of the Duties during the running of my Tacks, thorow the want of the Juriſdiction, as ſaid is, upwards of 25000 lib. Scots, and albeit I compted to the Lords of His Majeſties Theſaury for the haill years of my Tacks, and paid the haill Tack Duties, except a ſmall Ballance of 1059½ libs. 4 ſ 10 d Scots, as appears by the Accompt lying in Sir Thomas Moncrieſs hands, ſince the peruſal thereof by the Lords of the Theſaury; and although I want Decreets againſt the Debitors in Zetland, who owe me as much as the forſaid Ballance, and alſo have advanced 200 lib. ſterl. in engaging and maintaining 150 Sea Men for His Majeſties Service per the deceaſt Earl of Crawfurds Letter, who were keeped and maintained by me for two Monthes time, until I ſhould have his Lordſhips Orders anent their diſpoſal (the want of which Inſtruction at laſt compting, occaſioned my not getting allowance thereof) yet nevertheleſs, I am under diligence of Caption for the foreſaid Ballance.

This being my circumſtantiat caſe, and the preſent Lords of Theſaury being unwilling to determine in my ſaid Damages, which I have ſo evidently ſuſtained by the former Lords, their conſtraining me to keep the Tacks without the Juriſdiction,

which was a neceſſary part thereof, I am very far from accuſing or arraigning the Lords of Theſaury; I would rather preſume, that the Reaſon of their declining to give their determination, might be that they judged the Cauſe more proper to be determined by the high Court of Parliament and there being no other Remedy left me, I do therefore humbly repreſent,

My claim to Damages is ſo plain and clearly founded in Law, that I need few words to urge the ſame, only, your Grace and honourable Eſtates will be pleaſed to conſider the matter of Fact above-written, and eſpecially, Firſt, that I freely offered to comply with His Majeſties pleaſure, and quit my Tacks with the Juriſdiction; ſo that being keeped faſt by the Tacks, I cannot in juſtice be deprived of the Damage ſuſtained by want of the Juriſdiction. 2. That the Tacks and Juriſdiction are neceſſarly connected, appears by the Tenor of my Commiſſion, bearing expreſly to continue during my Tacks, albeit other Commiſſions depending upon the Crown at that time, were only granted during pleaſure; And farder, all preceeding Tackſmen had the Juriſdiction, and when Baillie Brand got a Tack by Roup, he got the Juriſdiction as a neceſſary conſequence thereof. 3. The expedient the then Lords of Theſaury propoſed, viz. that Lopneſs ſhould name Deputs, which ſhould depend on me, proved ineffectual; (for theſe Deputations were firſt refuſed in the terms, that they could be of any uſe to me, and that the ſaids Lords of Theſaury deſigned them,) and when the ſaids Lords former Ordinance was explained upon a new hearing, ſo much time had been loſt, that many of the Debitors were broken, and not able to pay, and theſe new Deputations proved otherways ineffectual, as ſhall be cleared in due time. 4. By want of the Juriſdiction, I was deprived of Store-houſes, and many other conveniencies for keeping and diſpoſing of the Victual. 5. The Stewart obliges the Inhabitants to conſume the Victual within the Iſlands to good Advantage, and by the delays that were given me, the ſucceeding Stewarts had opportunity to oblige the Inhabitants to conſume the ſubſequent years Victual, and I was neceſſitat to export mine beyond Sea, and to Leith, during the War, where I met with many inconveniencies, and particularly one Ship was intirely loſt, and the Victual of another was damnified.

Herefore I moſt humbly beſeech your Grace and honourable Eſtates of Parliament in conſideration of the premiſſes, to find that I am to be repaired of my Damnages, by depryving me of the foreſaid Juriſdiction during my Tack, and by obliging me to continue my Intromiſſion, and refuſing to accept of the Renunciation of my Tack in manner above-mentioned, and to remit the liquidation of my Damnages to any Committee, your Grace and Eſtates of Parliament ſhall think fit, and in the mean time, to ſuperceed Diligence for the ſmall Ballance of my Accompts ſtated before the Lords of His Majeſties Theſaury, ſeing the ſame is not the third of what is yet truly reſting by the Farmers, and others, which would have been recovered, if the Juriſdiction had been in my Hand, beſides my other Damnages. And your Petitioner ſhall ever pray. Will: Craigie.]

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PETITION Sir John Shaw of Greenock and John Shaw his son with the Draught of the Act from the Committee of Trade relative thereto for allowing them the Impoſition therein mentioned for building an harbour at Greenock, read.

DRAUGHT of an Act for Sir William Stewart of Caſtlemilk allowing him an Impoſition for building an harbour at Gourock, read.

DRAUGHT of an Act for Mr John Stewart younger of Blackhall allowing an Impoſition for building an harbour at Inuerkip, read.

DRAUGHTS of Acts in favours of the Burghs of Kinghorn Bruntisland and Kirkcaldie for the Impoſitions therein mentioned for repairing their ſeverall harbours and the other cauſes contained in the ſaid ſeverall Acts, read.

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[ACT in favours of the burgh of Kirkaldie.

OUR Soveraigne Lord conſidering that the Burgh of Kirkaldie, ane ancient Royall Burgh, hath by reaſon of the building of ane harbour to the great advantage of the wholl Kingdome and of ane new Tolbooth contracted debts beyond the value of their common good As alſo that the Burgeſſes and Inhabitants have had great loſs of their ſhips dureing the late War wherby the Burgh is impoveriſhed That for ſome years they have wanted a ſetled Magiſtracy, which reaſons have alſo moved their communitie to give their conſent in wryteing to the Impoſition after ſpecified Therfore and for the better enableing of the ſaid Burgh to performe that dewtie and ſervice, they have allwayes been ready to performe to his Majeſtie and his Government His Majeſtie with advyce and conſent of the Eſtates of Parliament doeth grant to the ſaid Burgh and Communitie therof, and the Magiſtrats and Town Councill of the ſamen for its behoove ane Impoſition of tuo pennyes upon each pynt of ale or beer brewed vented or retailed within the ſaid burgh or liberties therof and that for the ſpace of fifteen years commenceing from the firſt day of February nixt to come to be uplifted and manadged be ane or mae to be named be the Magiſtrats and Town Councill who are hereby ſtrictly obleidged to apply the ſamen for payment of their juſt debts in the firſt place and in the nixt place for repairing of their harbour and other publick works and that at the ſight of the Earles of Rothes & Leven or any one of them and their ſucceſsors who is hereby warranted to call the intromettors with the ſaid Impoſition to ane accompt as oft as they ſhall think fit And the ſaids manadgers and collectors are hereby impowered to poynd and diſtrengie if neid beis for the ſaid Impoſition And to use all other lawfull dilligence for ingathering therof as the Magiſtrats and Town Councill are in uſe to doe for any other part of their common good.

23 Decr 1700.

Read in Parliat & remitted to the Committie of Trade.]

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PETITIONS for the Burghs of Elgine Dundee and Linlithgow craveing an Impoſitione for building harbours paying of their debts and for the other cauſes therein ſpecifeit all read, Alſo answers to the Town of Dundee and lykewayes Linlithgows Petitions read.

PETITION William Morison of Preſtoungrange craveing ane Impoſition for building an harbour at Morisons Haven, read.

OVERTURE for an Act that every Nobleman Gentleman and Burgh Royal may exact and uplift two pennies Scots upon the pint of ale from the Brewers within their reſpective bounds to be applyed for mending the high wayes and bridges, read.

MOVED that the ſaid Overture and alſo the Draughts of the ſaid ſeverall Acts and Petitions craveing the ſaid Impoſitions with the answers made therto be remitted to the Committie for Security, and the ſame were remitted accordingly.

OVERTURE for an Act allowing the Town of Leith the benefite of the Act of Parliament anent the communication of trade read, and ordered to lye on the table.

OVERTURE for an Act in favours of the Chirurgeon Apothecaries read and remitted to the Committie for Security.

PETITION James and William Walkinshaws and other merchants in Glasgow for an manufactory of Cordadge Canves and other neceſsaries for shipping, with the same priviledges and liberties allowed to other manufactiories read, and remitted to the Committie for Trade.

PETITION Alexander Huntar late of Murchouse craveing a day to be appointed for adviseing his proces against his creditors for a personall protection read, and agried that a day be appointed for hearing and adviseing of the said proceſs when the Parliament proceeds to consider privat affairs.

PETITION James Dunlop and others merchants in Edinburgh craveing the erecting of their trade of working Stockings upon Frames into an manufactory with the same priviledges as are granted to other manufactories, read and remitted to the Committie for Trade.

PETITION Mr James Smith of Whitehill craveing that he may be authorized to make use of an engine for raiseing of water for the benefite of Coal Works and other water works within the Kingdom and that none presume to make use thereof without his licence read and remitted to the Committee for reviseing the Minuts.

PETITION William Corse merchant in Glasgow craveing the erecting of an New Sugar Manufactorie at Glasgow with the same priviledges and liberties that are granted to the other Sugar Manufactory there, read and remitted to the Committie for Trade.

DRAUGHT of the Act from the Committee of Trade in favors of Sir Patrick and James Ogilvies elder and younger of Boyne for certain Immunities to the marble found in their own ground again read, and being put to the vote Approve or not it carried Approve.

PETITION the Earl of Kilmarnock craveing the augmentation of his former cuſtome on each ſeck of meal that shall be brought to the meal mercat of the Town of Kilmarnock and that how soon the said meal mercat shall be built and compleated read, and the Earl allowed to bring in an Act in the terms of his Petition the next Sederunt of Parliament.

PETITION James Turner cabinet maker in Edinburgh craveing his trade of making of oylls to be erected in an manufactory, and to discharge the exportation of all Lint Seed Rap Seed and other seeds out of the Kingdom read and remitted to the Committie of Trade.

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[UNTO His Grace His Majeſty's high Commiſſioner, and the Honourable Eſtates of Parliament.

The Supplication of James Turner Cabinet-Maker in Edinburgh.

Humbly Sheweth,

THAT your Petitioner having conſidered the great prejudice, which this Kingdom hath ever hitherto ſuſtained by the vaſt Sums of Money that have been exported out of the ſame, for buying and importing of Lint-Seed, Rap-Seed Oylls, and ſeveral other Oylls of that nature, I did go abroad to England, and ſtayed there for a conſiderable time of purpoſe to learn, and obſerve the way and manner of making the ſaids Oylls, and having at last obtained to the exact and perfect Knowledge of making the ſaids Oyls, and of Building and Erecting a Miln for that Uſe; And of which Miln there is an exact Patern ready to be conſidered by the Honourable Members of Parliament, and which I am reſolved with all Diligence to Build and Erect in ſome Convenient Place near the City of Edinburgh, for making of the ſaids Oylls, in caſe Your Grace and Honourable Eſtates would be pleaſed to give due Encouragement to an Undertaking ſo profitable and advantageous for the Good of the whole Kingdom, by diſcharging the Exportation of Lint-Seed, Rap-Seed, and others of that Nature, and allowing the Importation thereof for the Uſe of the ſaid Milns, free of all Dutie for ſuch a competent number of Years, as Your Grace and Honourable Eſtates ſhall think convenient: And to diſcharge all others within this Kingdom to make anie of the ſaids Oylls during the ſpace forefaid, in reſpect the Work will be verie expenſive in ſetting up the ſaid Art and Milns.

May it therefore pleaſe Your Grace and the Honourable Eſtates of Parliament, to conſider the Premiſſes, and to declare the Milns for making of Oils to be ſet up by me, and my Partners, to be a Manufactorie, And to have the Libertie and Priviledges uſual, granted to all other Manufactories; And to diſcharge the Exportation of all Lint-Seed, Rap-Seed, and other Seeds furth of this Kingdom in all time coming, under the manner of Confiſcation; And to diſcharge anie Perſon to ſet up the ſaid Manufactorie during the ſpace Your Grace and Honourable Eſtates ſhall grant, in reſpect of the Expenſes Your Petitioner has been at in going abroad and Learning the ſaid Art, and ſetting up the ſaids Milns, who is able to ſerve the wholl Kingdome. And your Petitioner ſhall ever Pray, &c.

23 Decer 1700.

Read in Parliat & remitted to the Committie of Trade.]

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OVERTURE for an Act anent Coall and Salt read and remitted to the Committee for Trade.

PETITION for Andrew Dick grandchild to Sir William Dick of Bread craveing a personal protection and others therein ſpecified read and ordered to lye on the table.

PETITION for the Piriwigmakers craveing that the exportation of hair be discharged and several other particulars ſpecifeit in the Petition read and remitted to the Committie for Reviseing the Minuts.

PETITION William Park Combmaker craveing that the importation of all forraign Combs &c. may be discharged and that the Petitioner may have the same priviledges that are allowed to other Manufactories read and remitted to the Committie of Trade.

PETITION Mr George Campbell merchant in Edinburgh craveing a sist of execution against his creditors untill his proces for a protection he heard in Parliament read and rejected.

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[UNTO His Grace, His Majeſty's High Commiſſioner, and the Right Honourable the Eſtates of Parliament.

The Petition of Mr. George Campbel Merchant in Edinburgh.

Humbly Sheweth,

THAT upon Application to the Parliament the laſt Seſſion thereof, I obtained Protection for my Perſon till this Seſsion of Parliament, upon the ſeveral juſt and reaſonable Grounds thereinmentioned; but eſpecially upon my diſcovery of a conſiderable new Improvement, very beneficial to the Kingdom, which I have ſince imparted to the Salt-maſters, to be a way of making Salt, and improving that Manufacture exceedingly to the Advantage both of them, and the Nation: In purſuance thereof, I have had a Treaty with them; and have not only with their Conſent obtained an Act of His Majeſty's Privy Council in my favours

thereanent, but am come the length of a Minute with them, Recorded in their Books, in order to perfecting a Contract of Agreement betwixt them and me; the Terms whereof are near adjuſted betwixt us; But by reaſon of Executions and Diligences againſt my perſon, upon expiring of my laſt Protection, I am not able to proceed in the ſame, nor do Service to them therein, which is a great delay and prejudice to that good deſign: And ſeing my Creditors have my whole Effects voluntarly diſponed by me to them upon Oath, and affected by real Diligence at their Inſtance, and they in full Poſſeſſion thereof theſe Twelve Years by-paſt whereby a great part of their Sums are payed,

Yet, that it may appear how far I am from defrauding them of their juſt Debts, and how willing and deſirous to do what in me lyes for Satisfaction of what may be yet reſting to them, I have conſigned in the hands of Robert Innes their Factor, for their behoof, an Obligment and Diſpoſition (whereof a Copy atteſted by him is herewith produced,) granted by me to them of the one half of all benefit can ariſe to me by the ſaids Contracts with the Salt Maſters,

Whereupon moſt of my ſaid Creditors have given me the Conſent herewith produced, for my obtaining a perſonal Protection from the Parliament, except a few, who live at great diſtance, and a very few others, who acting for Minors of my deceaſed Creditors, have not as yet ſigned the ſaid Conſent: As to which few Creditors, in caſe they ſhould not conſent, I have raiſed Letters before the Parliament, for citing them in the Terms of the late Act thereanent, the executing whereof at ſuch diſtances in the Countrey, doth delay my preſent applying for the ſaid Protection, and ſo is a great hinderance to my ſaid Agreement with the Salt-Maſters.

May it therefore pleaſe your Grace and Honourable Eſtates of Parliament, in the mean time to grant me a Siſt of Execution, both for my proceeding in the ſaid Protection, and for perfecting the ſaid Agreements ſo advantagious to the Countrey. And your Petitioner ſhall ever pray, &c.]

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OVERTURE for an Act to prevent Swearing in proceſses for Excife, remitted to the Committie for Security.

ORDERED that the Committies meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday December 24, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

PETITION the Duke of Gordon and Earl of Aboyne craveing that His Majeſties Advocat and the other Advocats therein named be ordained to appear for the Officers of State and Kings Donator in the Proces of Reduction raiſed againſt them by the Earl of Argyle and Creditors of the late Marques of Argyle, read; And after reasoning thereupon it was left to His Majeſties High Commiſsioner to determine whither or not the Kings Advocat ſhall appear in this proceſs for any of the ſaid parties or for which of them, and the other Advocats named in the Petition left to their freedom for whom to appear.

MOVED that a Repreſentation given in by George Lockhart and other inhabitants of the City of Glasgow be read; Alſo moved that the publict affairs and ſpecially the Report of the Committie anent the French trade be firſt conſidered, And after debate the Queſtion was ſtated Whither to read this Petition the firſt Sederunt in January next or the firſt Sederunt after the Act anent the French Wine is over, and Carried to be Read the firſt Sederunt in January next.

DRAUGHT of the Act from the Committie of Trade prohibiteing the importation of any Liquors of the growth of France except in the terms therin mentioned, read; Alſo a new Overture for dischargeing the importation of all Wines Brandie and others from France and other places therein ſpecifeit under the conditions therin contained likewayes read; Moved that the Parliament conſider which of the Acts or Overtures preſented ſhall be ſpoke to. Alſo Moved that abſtracting from the ſaid Acts and Overtures it be firſt ſpoke to Whither there ſhall be a totall prohibition of the importing of French trade or only ane partial prohibition thereof And after reasoning the debate was adjourned till the next dyet of Parliament.

ORDERED that the Committies meet to morrow at nyne of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till Thurſday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday December 26, 1700.

PRAYERS ſaid Rolls called.

MINUTS of the last Sederunt Read.

HIS Majeſties high Commiſsioner did recommend to the Parliament the diſpatch of the Act about the French trade because the buſineſs of Caledonia and of the forces had been long delayed And that it was neceſsary the ſupplyes for the forces ſhould be under conſideration before the firſt of January next which now approacheth.

MOVED that the Committie for Elections make report in ſo far as they have proceeded as to the contraverted Elections of the Shire of Air and agried that the ſame be taken in immediatly after the Act anent the French Wine is over. And Ordered that the ſaid Committie in the mean time do meet and prepare a full report.

OVERTURE or Draught of an Act for a totall prohibition of the import of French Wine and other Liquors read: And after debate as to a totall or partial prohibition thereof It was moved that the Parliament determine whither to conſider the ſaid Overture for a totall prohibition or the Draught of the Act from the Committie for a partial prohibition And agried that the Overture for a totall prohibition receive a firſt reading as the Draught of the Act which the Parliament ſhall proceed to conſider And the ſame was accordingly read for the firſt time And the further conſideration thereof adjourned till the next dyet of Parliament.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday December 27, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

MOVED that there be a day appointed for hearing the proces on a protest for remede of law at the instance of Robert Hepburn against George Suttie and agried that a day be appointed for hearing the said cause when the Parliament proceeds to consider privat affairs.

DRAUGHT of the Act for a totall prohibition on the import of French Wine and other Liquors from France read; and the same again read in paragraphs And after debate as to the prohibition of Wine the Question was stated Prohibit the Importation of all French Wine after the first day of May next or after the first day of October next, and carried Prohibite the Importation of all French Wine after the first day of October next; Thereafter the Vote was stated Prohibite the Importation of all French Brandy after the first day of Aprile or the first day of May next and carried Prohibite the Importation of the said Brandy after the first day of May next.

MOVED that the Clause of the Act prohibiting the Importation of Wines from Saint Sebastian be delate that not being a French Port and after reasoning the Question was stated Prohibite the Importation of all Reid Wine from Saint Sebastian yea or nay and Carried in the negative.

MOVED that the condition of the continuance of the prohibition on the Importation of Wine and Brandy from France be determined And after reasoning a Clause was offered whereby it is provided that this prohibition shall continue ay and while the same Liberties & Immunities be granted to all herrings and all other goods exported from this Kingdom to France and the same Freedoms and Immunities granted to Scots Ships sailing thither that any other Nation enjoys in that Kingdome which Clause being read It was put to the vote Approve or not and carried Approve.

And severall other amendments being made upon the Draught of the said Act and it being agried that the vending and selling of the said French Wine and Brandie shall be prohibite after the first of February Im vijc and tuo years the Act was ordered to be transcribed in mundo against the next dyet of Parliament.

ORDERED that the Committies do meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majesties High Commissioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cantellar. I. P. D. P.

Saturday December 28, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

DRAUGHT of the Act against the Importation of Wine Brandie and other Liquors from France again read: Moved that some Expedients be fallen upon to prevent the Importing of French Wine from Saint Sebastian and other places in the Bay of Biskey and severall proposalls being made, a Clause was offered for secureing the same by the oaths of the Merchant Importer Skipper and Seamen before livery, which Clause being read the same was agried to and added to the Act.

IT was further proposed that by and attour the said Clause there be a price put upon all Red Wine that shall be imported from the said places and the Question being stated Put a price upon the Red Wines to be imported from the said places by and attour the Clause above written yea or not It carried in the affirmative.

AND it being moved that the price of the Scots pint of Wine to be imported from any port or part betwixt the Coast of France and the Groyne exclusive be determined It was agried that the same shall not be sold by Retaill for a greater price then fourteen shilling for the Scots pint under the pain of Five Hundred Merks to be payed by the seller toties quoties and a Clause for it being read It was agried to and added to the Act.

ALSO moved that another Clause be added prohibiting the livering of any White Red or Claret Wines from any port whatsomever untill the same be tasted in manner and to the effect therein mentioned, and the same being read, the Question was stated Add the Clause to the Act or not, and Carried in the negative.

THEREAFTER the Act as amended being again read It was put to the vote Approve or not, and carried Approve.

OVERTURE concerning the Summer Session read and ordered to lye upon the table.

DRAUGHT of an Act for the farder adjourning of the Session in respect of the sitting of the Parliament read for the first time.

ORDERED that the Committies do meet on Monday next at nine of the clock in their usual places.

THE Lord Chancellor by order of his Majesties High Commissioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday December 30, 1700.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

HIS Majesties High Commissioner signified to the Parliament that the Election of the Shire of Air was appointed to come in so soon as the Act about the French Wine is over which Act is now voted, And that the business of Caledonia was still before their hand But the first of January being so near it was necessary that the Parliament either presently take to their consideration the matter of the troups and supplies or otherwayes resolve that the forces upon the present establishment shall be maintained till that affair be fully settled.

MOVED that the former Resolve for continueing & subsisting the forces till the first of January next be read, and the same was accordingly read; And therafter a Resolve was offered in the terms following viz. in regaird the forces upon the present establishment cannot be continued longer then the first of January next without consent of Parliament, and that by a previous Resolve of this Parliament the Regulation of Trade as to Export & Import and the business of Caledonia must be first considered Therefor It is Resolved that the forces upon the present establishment shall

continue till the first day of February next and be subsisted accordingly Which Resolve being read It was put to the vote Approve or not and carried Approve.

ACT for adjourning the Sefsion till the 28 of January next again read and it being moved that the said adjournment be till the first of February next the Question was stated Adjourn the Sefsion till the 28 of January or the first of February next and carried till the twenty eight of January next Thereafter it was put to the vote Approve of the Act of Adjournment or not and carried Approve.

MOVED that a day in each week be appointed for hearing of privat affairs depending before the Parliament And His Majesties High Commifsioner condescended after this present week to appoint a day in each week dureing the sitting of Parliament for hearing privat affairs.

REPORT of the Committie of Elections as to Airshire in relation to the objections made against John Mitchell of Daldilling read and the instrument containing the objection made against him likewayes read and the objector being allowed to explain his objection; After reasoning thereupon the Question was stated If the objection contained in the instrument and as now declared in Parliament by the objector be relevant yea or nay and Carried in the negative: Also the Report of the said Committie as to the objections against Hugh Montgomery of Bridgend and James Blair of Blairstoun read, and the instrument containing the objections made against them also read and some further objections being offered against the foresaid Electors After reasoning therupon the Question was stated Whither the objection against the said Hugh Montgomery of Brigend as contained in the instrument be relevant or not and Carried in the negative Therafter the vote was stated If the objection against James Blair of Blairstoun as stated in the instrument be relevant or not and Carried in the negative. And the Parliament did remit to the Committie of Elections to meet to morrow morning and prepare and bring in a full report as to the other Electors objected against.

THE Act for adjourning the Sefsion till the twenty eight of January next touched with the Scepter by His Majesties high Commifsioner in the usuall manner, and ordered to be proclaimed.

THE severall Committies appointed to meet to morrow at nyne of the clock.

THE Lord Chancellor by order of His Majesties High Commifsioner adjourned the Parliament till Thursday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurfday January 2, 1701.

PRAYERS said Rolls called.

Alexander Horfeburgh of that Ilk one of the Commifsioners for the Barons of the Shire of Peebles newly elected in place of Alexander Murray of Hallmyres deceift took the oath of alleadgeance, signed the same with the afsureance and afsociation and took the oath of Parliament.

MINUTS of the laft Sederunt read.

DRAUGHT of the Act from the Committie of Security againft prophanenefs read for the firft time.

DRAUGHT of the Act from the Committie of trade againft the importing of Silk Stuffs and White Laces read for the firft time, and appointed to be printed in order to be confidered by the Members of Parliament.

THE Repref entation for George Lockhart and others inhabitants of the City of Glasgow craveing warrand to cite John Anderson of Dowhill and the Magiftrats and Toun Councill of Glasgow to appear before the Parliament to the effect therein mentioned read, And agried that the same be remitted to the Lords of Sefsion to be by them cognofced and determined according to law summarly without abideing the courfe of the Roll.

MOVED that since the late votes paft in this Sefsion of Parliat againft the exportation of Wool there has been great quantities of Wool put aboard in fhips and exported out of the Kingdom And that it be remitted to a Committie of Parliament to take tryal of, and enquire in this matter and of the perfons haveing accefsion thereto: And after reafoning it was remitted to the Committie for contraverted Elections to enquire and take tryall of the verity of the said complaint of exporting of Wool and of the perfons therein concerned by all legall methods and make report of their procedure the firft Sederunt of Parliament the next week.

REMITTED to the same Committie of Elections to take tryall as to the Engliih Cloath imported since the Proclamation of Council in June 1699: and how the same may be effectually secured to be either exported or burnt as is appointed by the said Proclamation: And likewayes remitted to the same Committie to confider what prices are fit to be put upon the Wines to be fold by retaill already imported or to be imported before the firft of October next and to bring in a Report as to the saids two particulars alfo againft the firft Sederunt of Parliament the next week.

REPORT of the Committie of Elections as to Airfhire in relation to the irrelevancie of the objections made againft Arthur Campbell of Auchmannoch, John Reid of Markland and Adam Aird of Katrine read, and the inftrument containing the said objections likewayes read, And it being moved that it be remitted back to the Committie to confider the rights of the feveral parties objected againft. After reafoning the Question was stated Approve of the Report of the Committie, or Remit; and carried Approve.

MOVED that since the objections againft the contraverted Electors who signed Mr John Campbells Commifsion are now difcufsed, That Mr John as haveing the plurality of Electors signeing his Commifsion may be admitted a Member of Parliament in place of William Muir of Rowallan deceift and his Commifsion being read; It was objected that the freeholden lands by vertue whereof he was chofen a Commifsioner is only a truft in his perfon to the behoove of the Earl of Loudoun his brother And his oath being craved thereupon he deponed negative and thereafter took the oath of alleadgeance signed the same with the afsureance and afsociation and took the oath of Parliament.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majefties High Commifsioner adjurned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday January 3, 1701.

PRAYERS faid Rolls called.

COMMISSION Mr William Stuart of Castlestuart for being one of the Commiſsioners for the Barons of the Shire of Wigtoun in place of William Mackdouall of Garthland deceiſed preſented. Moved that Castleſtuarts admiſsion be delayed for this Sederunt in respect it's informed there are double Commiſsions sent from that Shire and that the Election was only made on Tueſday laſt And after reaſoning it was agried that Castlestuarts admiſsion be delayed until the next Sederunt of Parliament.

MINUTS of the laſt Sederunt read.

DRAUGHT of the Act from the Committie for Security againſt prophaneneſs again read and thereafter read in paragraphs and severall Clauſes being offered as additions to the said Act; After reaſoning the Queſtion was stated Add a Clauſe to this Act or not and Carried in the negative. And the Act being again read it was put to the vote Approve or not and carried Approve.

PETITION Thomas Henderſon Apothecary in Edinburgh and others againſt Laurance Power Merchant there &c. craveing that a day be appointed for hearing his proces on a proteſt for remede of law againſt the forſaids perſons or to remit the same either to be conſidered by a Committie or to be determined by the Lords of Seſsion read; and upon a motion made, Laurance Power allowed to see and anſwer the same againſt the firſt day the Parliament proceeds to privat affairs.

PETITION Mr James Gregorie Profeſsor of Mathematicks in the Colledge of Edinburgh craveing an Act to be paſt in his favors for the uſe of a machine invented by him for raiſeing of water and that all others be diſcharged to make uſe thereof for the ſpace mentioned in the petition, read, and remitted to the Committie appointed for reviſeing the Minuts.

THE Committies ordered to meet to morrow at nyne of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday January 4, 1701.

PRAYERS faid Rolls called.

MINUTS of the laſt Sederunt read.

Mr William Stuart of Castlestuart one of the Commiſsioners for the Barons of the Shire of Wigtoun newly elected in place of William Mackdouall of Garthland deceiſt took the oath of alleadgeance signed the same with the aſsurance and aſsociation and took the oath of Parliament.

OVERTURE for the freedom and repreſentation of the State of Barons as to their sitting and voteing in Parliament read and ordered to lye on the table.

DRAUGHT of an Act from the Committie of trade in favors of the Hatmakers read for the first time.

MOVED that the Parliament enquire into the matter of the pole money granted in the year 1693, for payment of the arrears of the Army, And the said motion allowed to be repreſented in write in order to be conſidered in Parliament how soon they proceed in privat affairs.

OVERTURE that the Parliament choiſe a Committie for considering the arrears due to the Army diſbanded as well as the arrears due to the standing forces And that they enquire into the funds that have been laid on since the Revolution for theſe ends and how they have been employed, and that the Committie make their report when the present Army is to be considered in Parliament Which Overture being read it was agried that the conſideration therof be delayed till the next Sederunt of Parliament.

ACT from the Committie for Trade prohibiting the Importation of all Silk Stuffs White Laces &c. again read, and thereafter read in paragraphs; Moved that there be an exception from the Act of Velvets and Damaſks to be made uſe of for houſehold furniture; After reaſoning the Queſtion was stated Allow the Importation of Velvets and Damaſks to be made uſe of for houſehold furniture yea or nay and Carried in the negative; Alſo moved that there be an exception of Velvets for makeing of Sadles and other horſe furniture, and the Vote being stated Allow the Importing and Wearing of Velvet for horſe furniture in general or only in ſpeciall when the same has been bought and uſed out of the Kingdome, and Carried in speciall: Likewayes moved that the importing and wearing of plain ribbans may be excepted from the said Act And after debate the Queſtion was stated Except the Importing and Wearing of forraigne ribbans yea or nay and Carried in the negative And severall amendments being made upon the Act the same was ordered to be tranſcribed in mundo to be firſt conſidered the next dyet of Parliament.

THE Committies appointed to meet on Munday's morning at nyne of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till Tueſday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday January 7, 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Act settleing the orders of the Parliament Houſe again read, and the same appointed to be duly obſerved.

MOVED that the Committie for the Minuts bring in a Report anent what was remitted to them for diſtinguiſhing what crimes are capital and what not, and what crimes do infer the pain of treaſon, And ordered that the said Committie do proceed and bring in the said Report with all diligence.

THE Act againſt the Importing of Silk Stuffs White Laces &c. again read, and after some reaſoning thereupon It was put to the vote Approve the Act or no and carried Approve.

PETITION the Officers of the Army preceeding the year 1693 craveing the Commiſsion of Parliament formerly appointed for the pole 1693 to be renewed with addition of ſuch Members as are wanting and that they determine to the effect mentioned in the petition read; and agried that the same be taken into consideration how soon the Parliament proceeds to privat affairs.

PETITION the diſbanded Officers craveing payment of their arrears and half pay for ſubſiſtence in time coneing till there be occaſion for their service read, And agried that the ſame be conſidered when the Parliament proceeds to the matter of the arrears and inquireing into the bygone funds given for the uſe of the Army.

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[TO James Duke of Queensberry His Grace, His Majeſties High Commiſſioner and the Honourable Eſtates of Parliament now aſſembled,

The Petition of the disbanded Officers.

Humbly Sheweth,

THAT ſoon after the late happie Revolution, your Petitioners ingadged in the ſervice of our King and Country, wherein we continued (with all due zeal and fidelity) till the concluſion of the Peace at Reſwick, in September 1697, ſoon after which the Regiments wherein we had served were broke.

At which time there was a conſiderable Arreare of Pay due to us.

That the current Parliament, out of their great Juſtice and Kindneſs to us, impoſed ſeveral Taxes (in ſeveral Seſſions) and appointed Funds for our ſatisfaction, whereof (by the deficiencie of thoſe Funds,) we have reaped no benefite hitherto, to our great damnadge and diſcouragement.

That whilſt we were in the ſervice, many of us were neceſſitate to run on ſcore with merchants and other tradeſmen, for cloaths and other neceſſarys which makes it, in that reſpect, a National Greivance the ſmall ſubſiſtance then allowed us, being incompetent to maintain us in an equipage ſuitable to our reſpective poſts and ſtations in the Army.

That our debts are very much encreaſed ſince, by a tedious and uncomfortable attendance, theſe three years paſt; ſtill expecting that the Government would take compaſſion of our deplorable condition, and grant us what we had faithfully ſerved for, and humbly claim as our juſt due, having the publick faith of the Nation for our ſecurity, which we lookt on, and truſted to, as ſacred and inviolable, and which was confirmed to us by a particular Act in the laſt Seſſion of Parliament.

That it is no ſmall aggravation of our grief, to underſtand that our fellow ſubjects and ſoldiers, in the neighbouring Kingdoms, have not only their Arrears fully ſtated, and an effectual method laid down for their plenary ſatisfaction, but have alſo a ſubſiſtance of half pay allowed them, till His Majeſty ſhall have further occaſion for their ſervice: Whilſt in the mean time, we, your humble Suppliants, (who have ſerved His Majeſty, as faithfully as they) are hitherto neglected, and not only expoſed to all the hardſhips our ſevere creditors pleaſe to impoſe upon us, but alſo, to all other calamities incident to that extremity of poverty we are reduced to; ſo as the preſent ruine of ourſelves, and many of our families, is utterly unavoidable; if not (by the juſtice and compaſſion of your Grace, and the Honourable Houſe) ſpeedily prevented.

May it therefore pleaſe your Grace, and the Honourable Eſtates of Parliament, to take into conſideration, the deplorable caſe of your grieved, indigent Suppliants, which is without any parallel; and to lay down ſuch effectual methods, as to your deep Wiſdoms ſhall ſeem fit, ſo as our Arrears may be fullie paid off; that ſo we may be enabled to disburthen ourſelves of our heavie debts: and that (for the future) half pay may be allowed us (as is to our fellow Souldiers abovementioned) that ſo we may be enabled to ſubſiſt, till His Majeſtie's and our Countries Service may have occaſion to require and call for our aſſiſtance; in which, we ſhall be as readie (with heart and hand) to engage ourſelves, as ever formerlie. And your Petitioners ſhall pray, &c.

Thomas Hay, in Name of the Disbanded Officers.]

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PETITION Captain John Boiſwell Commander of the Mary Frigot for himſelfe and in name of the Officers and Seamen that ſerved under him craveing payment of the ſum therein mentioned of ballance due to them, and that William Cochrane of Fergusſlie be ordained to repeat the money wrongously exacted from them read, And warrand granted to cite Fergusſlie to anſwer to the ſaid petition on fourty eight hours warning.

PETITION the poor Seamen of Borrouſtounneſs who ſerved in the Frigot commanded by Captain Edward Burd craveing payment of the arrears due to them And that in the mean time the ceſs for unfree trade payable out of Borrouſtounneſs may be stoped and to grant them redreſs of the wrong done to them by the said William Cochrane of Fergusſlie read; and warrand granted to cite Fergusſlie to anſwer to the said petition on fourty eight hours warning.

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[UNTO His Grace James Duke of Queensberrie His Majeſties High Commiſſioner and the Honourable Eſtates of Parliament.

The Petition of the poor Seamen of Borrowſtowneſs who ſerved aboard of the Scots Frigot commanded by Captain Edward Burd.

Humbly Sheweth,

THAT where your Petitioners, about ſortie in number, having for a conſiderable time ſerved aboard the Frigot commanded by Captain Edward Burd there is due to your Petitioners a conſiderable Sum conforme to the ſeveral Bills or Tickets obtained by us from the Admiralitie Office, which your Grace & Honourable Eſtates Petitioners relyed upon as a ſufficient ſecuritie, perſwading ourſelves thereby, to recover Payment out of the founds appointed by former Seſſions of this Parliament for that effect. Notwithſtanding whereof, and of ſeveral applications made by your Petitioners to the Lords of His Majeſties Theſaurie, we cannot obtain payment, and your Petitioners having contracted ſeverall Debts for the ſubſiſtance of our poor Families, the time we were in his Majeſties Service, for which we now ſuffer a legall diſtreſſe, beſide that we lye under Quarterings for payment of our proportions of the Ceſs impoſed upon the Toun of Borrowſtounneſs for relife of the Royal Burrows for benefite of Trade, wherethrough your Graces and Honourable Eſtates Petitioners are indeed redacted to the greateſt of neceſſity and want, which at preſent lyes heavie upon us, our Credit being quit exhauſted by the Debts formerly contracted by us while we were in His Majeſties Service. Lykeas ſome of your Petitioners upon applications to the Lords of His Majeſties Theſaurie in the month of Auguſt 1699, obtained Precepts for a ſmall Sum viz. 30 lib. Scots each (in part of Debts due to us) upon William Cochran of Fergusſlie Tackſman of the Poll, but ſuch was his rigorous extravagancie that he would not pay theſe Precepts unleſs your Petitioners would diſcharge the 30 lib. for 19 lib. which we were neceſſitate to doe for a preſent Relief, whereby it is evident to your Grace and Honourable Eſtates how exceedingly your Petitioners do ſuffer both by lying out of the Money due unto us, and by the avarice and oppreſſion of Fergusſlie.

May it therefore pleaſe your Grace and the Honourable Eſtates to take the condition of your Petitioners (conſiſting of many poor Families) under your ſpeciall conſideration, and grant warrant for Payment of your Petitioners upon ſuch manner as your Grace and Eſtates ſhall think fit and in the mean time that the foreſaid Ceſs payable out of Borrowſtowneſs may be ſtoped towards your Petitioners Payment ſo far as the ſame will extend, and grant ſuch redreſs to your Petitioners of the wrong and oppreſsion ſuffered by Fergusſlie, as your Grace and Eſtates ſhall find juſt. And your Petitioners ſhall ever pray.

Edinb: 7th January 1701.

HIS Mãties high Commiſsioner and the Eſtates of Parla[t] having heared this petitione They grant warrand to macers to cite the within William Cochrane of Fergusſlie to compear befor the High Court of Parla[t] on fourtie eight hours wairning to anſ[r] to the complaint mentioned in this petitione ag[t] him.

MARCHMONT Cancellar. I. P. D. P.]

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THE Overture formerly given in anent the arrears of the Army, and for inquireing how the fonds given for that end has been disposed of again read, and another Overture that it be remitted

to a Committie to conſider the ſaid arrears and ſonds And likewayes to conſider the preſent state of the Kingdom with the forces and supplies neceſsary for security thereof to be reported after the affair of Caledonia is over, alſo read: Moved that by a former Reſolve of Parliament of the date the eight of November laſt the Regulation of the export and import and the buſineſs of Caledonia muſt be firſt conſidered in Parliament nothing interveening And the ſaid Reſolve being read After reaſoning thereupon a motion was made for another Reſolve that the buſineſs of the African and Indian Company and Caledonia ſhall come in the next Sederunt, and after Caledonia is over the Parliament ſhall proceed upon the matter of the ſecurity of the Kingdom, And his Majeſties Commiſsioner was pleaſed to aſsure the Parliament that they should have a competent time to end the buſineſs of import and export, and other publict Acts and affairs before them, which Motion being read it was put to the vote Agrie to the ſame or not and carried Agrie.

OVERTURE for renueing a Commiſsion of Juſticiary for preſerveing the peace of the Highlands preſented and ordered to lye on the table.

DRAUGHT of an Act from the Committie of Trade for diſchargeing the importation of all forraigne Butter and Cheeſe, read for the firſt time.

. . . . . .

[ACT Diſchargeing the Importation of forraigne Butter and Cheiſe.

OUR Soveraigne Lord with advyce and conſent of the Eſtates of Parliament ſtrictly prohibits and diſcharges the importation to this Kingdom of all forraigne butter and cheiſe, and the uſeing imploying or conſuming of any ſuch imported forraigne butter and cheiſe to any purpoſe uſe or effect whatſomever by any of the leidges within this Kingdom, under the pain of ane hundred pounds money, to be payed by the importer and ten pound by the uſer or imployer attour the confiſcation of all such butter and cheiſe wherever the ſamen can be feaſed the third part of the ſaid fyne and prohibit goods for the uſe of the fiſcall of the court wher the delinquencie is cognoſced and the other two pairts therof to the diſcoverer, declairing all Judges supream or subordinat competent in actions to be founded upon this law, But prejudice nevertheleſs to any of the leidges of importing all manner of forraigne butter and cheiſe in order to the exporting therof out of this Kingdom allenerly And leaſt any such imported butter and cheiſe should be uſed or conſumed within the Kingdom, It is heirby statute and ordained that all such forraigne butter and cheiſe as ſhall be imported in order to exportation be immediatly upon the landing therof secured by the Collector of his Mäties Cuſtomes at the port of landing under lock & key and ſo keept untill the exportation therof furth of the Kingdom And if any such forraigne butter and cheiſe or any pairt therof ſhall be tranſported from one port of this Kingdom to another In that caice that the merchant owner ſhall give bond with ſufficient caution to the ſaids Collectors to returne certificats from the Cuſtom Office at the port of export that the saids tranſported goods are so exported in the same condition and quantitie in q^{ch} they were tranſported and that the verity of the saids certificats may be diſproved by the oath of the owner or the reſive Collectors, Certifieing such Collectors, if they faill in the punctuall obſervance of this law they shall be lyable to the penalty of importing toties quoties attour the loſs of ther office upon ther being convicted of such malverſation And it is hereby declaired that it is and ſhall be lawfull and allowable to any of his Mäties leidges to inquyre into the obſervance of this law and to purſew the delinquents accordingly. J Haldane. I. P. C.

7 Jan^{ry} 1701.

Read in Parl^{t} & ordered to be marked read for the firſt time.]

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HIS Majeſties High Commiſsioner appointed Saturday next for conſidering privat affairs.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Thurſday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday January 9th 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

REPRESENTATION and Petition of the Counſill Generall of the Company of Scotland tradeing to Africa and the Indies craveing his Majeſties high Commiſsioner and the Eſtates of Parliament to take the contents therof and of ther former Petition therin mentioned to ther moſt ſerious conſideration to take ſuch effectuall meaſures as they ſhould think fit for aſſerting and vindicating the Companys right both abroad and at home for enableing them to proſecute ther lawfull undertakeings for procureing reparation from the Spainairds and others for the damnadges ſuſtained and for preventing the lyke incroachments for the future read.

MOVED that the Petition from the Counſill Generall of the said Company which was preſented in Parliament on the twenty seaventh day of May laſt and to which the Petition now offered does relait may be alſo read and the ſame accordingly read.

PETITION the Heretors of the Shyre of Midlothian subſcriveing therto craveing that meaſures may be laid down for executing the many good lawes already made and to make others that may be further neceſsary for regulating and advanceing the trade of the Nation and to aſsert the indoubted right and title of the Indian and African Company to ther Plantation in Caledonia which hath bein and ſtill is unjuſtly called in queſtion and to give ſuch ſupport to it as may encuradge the adventurers to go on in ane undertakeing tending ſo much to the wealth and honour of the Nation and to give releif to the country of ſo great a number of forces and redreſs the other particulars therin mentioned read.

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[ADDRESS Shyre of Midlothian

UNTO his Grace the Duke of Queenſberry, His Majesties high Commiſsioner and the Right Honble the Eſtates of Parliament,

The humble Petition of the Heretors of Midlothian.

THAT whereas it hes pleaſed God by the good conduct of his Majeſtie, to settle ane honourable Peace in theſe parts of Europe, and that thereby we doe hope, by his Majesties gratious favour and protection, and the care and authority of your Grace, and the Right Honourable the Estates of Parliament, to enjoy the bliſsed and happy fruits thereof, by your applying such remedeis to the present grivances, that during the tract of so long a Warr hes crept in to the great detrement and loſs of the subjects of this Nation q^{ch} our trade is mightily decayed, our coin carried out by importation of commodities from places where ours are prohibite, our poor still lying unprovyded for, as a heavy burden upon the Nation, by the not executeing of the good

and wholesome laws made thereanent, and by the not duely restraineing þe export of þe product of our own countrie, whereby our manufactories are discouraged, and the poor þ'by want a great releif, and our Companies for trade, especially that of our Indian & African Companie, so gloriously and advantagiously designed for this Nation, meets with so great discouragement, both abroad and at home, and which without your speciall assistance, protection, and encouragement, is like inteirly to goe to ruin, to all which wee may humbly add the disproportionat burden of so great a number of forces lying upon the Nation in the tyme of Peace.

Therefore may it please your Grace and the Right Honble the Estates of Parliament, in your wisdome to lay down such measurs for executeing the many good laws already made, and make others that may be furder necessary for regulateing and advanceing the trade of this Nation, supplying & mentaining our poor, and encourageing our manufactories by þe effectuall restraining of the import of whatsomever may be manufactored within the Kingdom and to assert also the undoubted right and title of the Indian & African Companie to ther Plantation in Caledonia which hath been and is still unjustly called in question, and to give such support to it, as may encourage the adventourers to goe on in ane undertakeing tending so much to the wealth and honour of the Nation, and to releive our countrey of so great a number of forces every way so uneasie to the people. And your Petitioners shall ever pray.

	Ro. Dundas of Arniſtoun.
Alex^r Foulis of Ratho.	Wm Baird .....
Thomas Calderwood of Ryſelaw.	R^t Dic. .....
Will: Nairne heritor & baylie of Dalketh.	Ja: .....
	Ja. Elli .....
Ja. Richartſon of Smeatoun.	.....
P. Fairholme of Babertoune.	Ja. Somerville of Drum.
Alex^r Brand of Reidhall.	James Oliphant of Lanton.
Alexander Borthuik of Phallyhill.	W. Biggar of Woolmot.
	Ja. Dick of Preſtonfeild.
Adam Watt of Roſehill.	M. Carſe of Cockpen.
..... of Merehiſton yor.	Fran: Kinloch of Boningtoune.
..... rhous.	Ja: Baird of Sauchtounhall.
..... of Woodhall.	James Flemyeng of Rathobayers.
J. Gibſone of Pentland.	Ja: Henryson portioner of Monktounhall.
Tho: Scott of Malleny.	
J. Borthuik of Stow.	Laurence Binning of Wallieſoord.
Ro^t Preſton of þ^t ilk.	Ro. Myln of Balfarg.
W. Lauder of Newingtoune.	Forman po: in Inueeſk.
Jo. Borthwick of Crookstoun.	Hen: Niſbett of Dean.
	Gairdine of Greenhill.

9 Januar 1701.
Preſented & read in Parlia^t.]

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PETITIONS and Addreſses from the Heretors therto ſubſcriveing in the Shyres of Wigtoun, Air, Dumbartoun, Renfrew, Inverneſs, Nairn, Fyſe, Bamff, Elgine, and Forres, and Stewartry of Orkney, and alſo from the Burghs of Pearth, Dyſart, Kirkaldy, Anſtruther eaſter, Inverneſs, Craill, and from the inhabitants of the City of Glaſgow therto ſubſcriveing all craveing effectuall methods to be takine for aſserting and vindicating the Companys right to ther Collony of Calledonia and to be eaſed of the forces and relaiting to the other particulars reſpective mentioned in the said severall Addreſses being all preſented by Members of Parliament were read.

[ADDRESS by the Barrons of the Shyre of Wigtoun.

TO his Grace his Mäties high Commiſſioner & the Right Honorable the Eſtates of Parlia^t,

The humble Addreſse & Petitione of the Heritors of the Sherefdome of Wigtoun.

Humblie Sheweth,

THAT nou efter ſo long & expenſive a War attended with ane extraordinary ſcarcity & many other calamities inſtead of enjoying the bleſſings of ane happy Peace incouradgements for trade & manufactories a right imploying of the poore, & eaſe of publict burdins as was expected we ſtill find the abounding of all maner of vice & immoralities notw^tſtanding of our many good laues in the contrair and great diſcouradgments to trade increaſs of poor & a ſtanding Army ſtill continoued on us And beſydes theſe q^ch we have had in common w^t other places in the Kingdome we have bein & ſtill are expoſed to inconveniencies q^ch are peculiar to thoſe who live on the ſea coaſts in the tyme of Warr by Pyrats not only invading of our coaſts makeing depradac^nes of our cuntrey & ryfling our houſſes but now alſo in tyme of Peace the ſame things are committed on us by English ſloopes who are conſtantly cruiſing along our ſhoares as hes bein made manifeſt to your Grace & Honourable Eſtates, but above all what we are moſt ſenſible of & extreamly greived for is a violac^ne of the Soveraignity, freedome & independencie of this Kingdome q^ch our predeceſſors have formerly for many ages ſo nobly defended w^t þ^r blood & the incrochments upon q^ch ſeem to us as the caus of the great loſes q^ch the African & Indian Company have ſuſteaned in þ^r Caledonian Collonie ſetled in Darien contrary to þ^r priviledges & law of the Nations And q^ch we do conceive to be of ſo gret a national concernment as cannot but effect the mynds of all true hearted Scotſmen.

May it therefor pleaſe your Grace & the Right Honble the Eſtates of Parlia^t to take to your ſerious conſidera^ne & in ſome ſolemn manner aſſert the Kingdomes Soveraignity freedome & independencie to vindicate & ſupport the Indian & African Companys right & enable them to proſecute this undertaking ſo much for the wealth of the Natione by reſetling in Caledonia or where els it ſhall be for the honour & intereſt of the Natione & fall on ſuch methods as in your profound wiſdome ſhall be thought moſt effectual for diſcouradging all manner of vice & immoralities & prevent the increaſs of Popery and for mantaining & imploying the poore incuradgeing all manufacturies at home reſtraining the exporta^ne of coin reliving us of a ſtanding Army ſo burdenſome in tyme of Peace & ſecuring of our coaſts from theſe inſults we are lyable to and to fall on ſuch other methods for ſecurity of the peace & ſupport of the Government as may be moſt for the intereſt of the Kingdome & libertie of the ſubject.

	Baſil Hamilton of Baldone.
S. Ja: Dunbar of Mochrum.	Will. Maxuell of Monreith.
Robt McDouall of Logan.	P. McDouall of Freugh.
W. Agnew of Wig.	S. C. Hay of Park.
Alex: Vans of Barnbarroch.	A. McDoual of Garthland.
John Gordown of Cairnfeilld.	Alex^r McDowall of Corachtry.

9 Jan^r 1701.
Preſented & read in Parliament.]

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[ADDRESS from the Shyre of Air.

TO His Mäties High Commiſſioner & the Right Honourable the Estates of Parliat,

The humble Addreſs and Petitione of the Heritors of the Shire of Ayre.

THAT whereas after a long and expenſive War we expected the bleſsings of ane happily concluded Peace by the reeſtabliſhing of our forraigne trade incouradging of home manufactories imploying the poore in the improvement of our native product & the leſsning of our publick burdens.

Yet to the unſpeakable loſs and almoſt ruine of the Natione we find our trade senſibly decayed, our coine being carryed out to such places where the ballance of trade lyes upon their syde for the importatione of their commodities while ours are prohibited by them, all our manufactures at home (by the same means and by the remiſsnes of Magistrates in putting the laws to due executione) not receiving that encouradgement which the interest of the Natione requires so that our poore (both numerous and burdensome) are neither mantained nor imployed as they otherways might be; but more especially our Company trading to Africa and the Indies (in which the honour & interest of the Natione is deeply concerned) meeting with so much oppositione from abroad and getting so little support at home after so great a loſs of men and expences of treaſure, their Settlement in Caledonia may now too probablie a second time fall under the same unlucky circumstances as at first (if not prevented) And yet amidſt all theſe hardſhips numerous forces are still keept on foot occasioning (now in time of Peace) unneceſsarie taxes which our wealthier neighbours have taken care to reſtrict All which miſfortounes and calamities befallen us we cannot but look upon as the effects of the displeasure of the Almighty God for the great wickedneſs and immoralities that every where abound amongſt all ranks and degrees of men to the diſhonour of God and of our Holy Religione debauching the spirites and corrupting the manners of the people.

May it therefore pleaſe your Grace and Right Honourable the Eſtates of Parliat to take some effectual courſe for the suppreſsing of vice and incouradgement of piety vertue and induſtrie and to put in executione the many laudable laws for mantaining and imploying the poor that they may be usefull (not burdensome to the Kingdome) and for encouradgement of our manufactures at home and carrying on our trade abroad with advantage to prohibite the importatione of such forraigne commodities as tend only to the expence of the Natione and prejudice of manufactories, and particularlie to diſcharge all trade with France ay and while they allow the importing our Herrings to them and take off the fiftie solxe p tun with other great duties lately impoſed by them upon such of our product as they allow to be imported, and to aſsert the India and African Company's right to the Colonie of Caledonia which hath bein and still is unjuſtly called in queſtion, by giving such support to it as may incouradge the adventerours to goe on with ane undertaking that may tend so much to the wealth honor and intereſt of the Natione, and to releive our country of so great impositiones by keeping such a number of standing forces, and in place thereof to fall on such other methods for security of the peace and support of Government as may be more for the intereſt of the Kingdome and more conſisting with the liberty of the subject.

Blair of pt Ilk.
Pa. Hamilton of Ovtterwood.
Cunningham of Cunninghamhead.
Will. Fairlie of Brwnffield.
John Cochrane of Waterſeyd.
Alexr Craufurd of Fergusfhill.
T. Boyd of Pitcon.
Jo. Park of Dubbs.
A. Broune of Knockmarloch.
Arthur Campbell of Achmenoch.
Matt. Miller of Glenlie.
Robert McGoune of Dykes.
Charles Campbell of Barbistoown.
Robert Aird of Corfflet.
A. Broune of Boighead.
David Boſnell of Craikſtoun.
Geo: Logane of pt Ilk.
Rot Fergushill of Burnockstoun.
H. Binnie of Machriemore.
Johne Cochran bayllif of Meyboll.
H. Kennedy of Balterſane.
J. Crawford of Newwark.
Will: Fergusone of Auchenblaine.
Fullarton of pt ilk.
Will. Blair of Giffoordland.
Ralſton of pt Ilk.
Ker of Kersland.
W. Hamilton of Brounmoore.
H. Wills of Gudshele.
A. Portar of Buckfald.
W. Clerk of Hil of Bithe.
John Peebles Craufeild.
John Taitt of Adamhills.
John Craufurd of Craufurdland.
C. Barcley of Buſbie.
C. Dalrymple of Langlands.
Robert Hodgert Baylie of Kilmarnock.
Robert Wright Baylie of Kilmarnock.
..... of Corfhill.
Robert Calderwood of Neather Pecokbank.
J. Arnot of Lochrig.
David Stewart of Birkwood.
Hunter of Blook.
John Dunſmwire of Brerholes.
Jo. Brisbane yor of Bischoptoune.
Alexander Lang of Bwrnfid.
Robert Finly of Conſtablewood.
John Freſle of Hanenheugh.
Pa: Huntar of pt Ilk.
Wm Craufurd of Dulegills.
H. Douglas of Garralane.
H. Mitchell of Dallgain.
Reymond of Bardaroch.
J. Campbell of Whyth .....
Robert Farquhar of Kattrein.
John Beg of Dornall.
Will. McKerrell of Hilhouſse.

9 Januar 1701.
Preſented and read in Parliat.]

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[ADDRESS from the Shyre of Dumbartoun.

TO His Grace his Mäties High Commiſsioner and the Right Honll the Estats of Parlement,

The humble Addreſs and Petitione of the Heritors of the Steffdome of Dumbartane.

THAT after a tedious and expencive War we hoped and had reſsone to expect the blefings of a hapillie concluded Peace by the reeſtablishing of our forraigne trade, theirby incoradging our manufactories at home imploying of the poor in the improvement of our native product and the leſsning of our publict burdens.

Yet it is evident to the unspeakabill loſs and almost ruine of the Natione that our trade abrode is sensiblie decayed having trade with noe Natione but those who hes the ballance on their syde soe that our money is carried out in Specie wharas did our own manufactories at home receve dew incouradgment and Magistrats not soe remiſs in putting the good laws made in executione our poor wold be maintained and imployed which is the undoubted intrest of the contrey who ar nou very numerous and a grate burden and mor particularlie it is to be lamented that our Companie trading to Africa and the Indies (in which the honnor and intrest of the Natione is soe deeplie concerned) meets with soe much opositione from abrod and hes got soe littell suport at home and if after soe great a loſs of men and expence of treſsure the Settlement in Calledonia be not now speedilie suplied and protected it will now probablie a second tyme fall under the same unlukie circumstances as at first.

Notwithstanding of all those hardships which the Natione lyes under ther ar numerus forces keept on foot which occasions now in tyme of peace heavie and unsuportable takes which our wealthier neighbours have taken cair to prevent.

All which misfortuns and other callamities which of late hath befallen us we cannot but look upon as the effects of the displeasure of the Almightie God for the grate immoralities that everie whair abound amongst all ranks and degrees of men to the dis-

honor of God and our hollie Religione and debauching the spirits and corupting the maners of the people.

May it tharfor please your Grace and the Right Honorable the Estats of Parlement to take some effectuall course for crubing of vice and putting in executione the many laudable laws for maintaining the poor that they may be usefull and not burdensome to the Kingdome, and for the incouradgment of our manufactories at home and carying on our trade abrode with advantadge. And particularlie to lay on such impositions on French wyne, and brandie, as may be as effectuall as a prohibitione ay and whill we be allowed to export our herings to France and be fred of the fiftie suce a tune as befor the Wars and that all wolen and silke manufactorie from England be prohibited whill the impositions upon lining cloath be taken of and to asert the Indian and African Companies right to their Collonie of Callidonia which hes been and still is unjustlie called in queſtione, and to give such suteable and tymelie suport to it as may incouradge the adventurers to goe on in the undertaking which if vigoruslie perseued will tend soe much to the wealth, honnor and intrest of the Natione and to relive our Contrey of soe greate a number of Forces soe verey uneasie to the people And in place theirof to fall upon such other methods for securitie of the Peace suport of the Government as may be more for the intrest of the Kingdome and more consistent with the libertie of the Subject.

	Hu. Colquhoun of Luſs.
Ja. Patrick W^m^ſonemaines.	J. Houſtoun of p^t^ ilk.
J. Buchanane of Roſs.	James Hamilton yor of Orbiſton.
J. Buchanane of Cattermill.	Ar^d^ M^c^Aulay of Ardincaple.
Jo. Buchanan of Spittell you^r^.	J. Douglas of Manes.
Tho: Buchanan of Airdoch yor.	W. Bonten of Ardoch.
Georg Buchanane of Ladriſh-more.	Alex^r^ Gartſhore of p^t^ Ilk.
	Will: Campbell of Garſcub.
John Cuninghame of Lydriſhbeg.	A. Colquhoune of Garſcadden.
Archibald Govane of Portnelan.	Ja. Hammilton of Hutcheſtone.
Walter Buchana of Shanaglich.	Georg Maxwall Berlydrochet.
Alex^r^ Garner of Badshaloch.	J. Colquhoune of Comſtroden.
William M^c^Kinlay of Blarlayt.	Bryce Blaire of Aker.
John Wilſland of Ghartochan.	John Mathie of Ibert.
Thomas M^c^Kean of Camsmawn.	W. Cochran Kilmaronock.
Geo. Buchanan of Blarluſk.	Jo. Semple Dalmoak.
William Garner of Kinrie.	Tho: Whythill of Keppoch.
of Chappellhill.	Hen: Græme.
John Colquhoune of Midletone.	Buchanan of Drumhead.
John Jonſtoune porſiouner in Acenleck.	Ro^t^ Bontin yor of Ardoch.
	Jo. Maxwell of Achindenrie.
James Findlay portioner thaire.	Ja: W^m^ſon of Chappeltoune.
James Findlay po^r^ of Killpatrik.	Tho. Yuill of Darleith.
John Colqwhoun portioner of Milltown.	Ar^d^ Wallace Min^r^ of Cardroſs.
	M^c^Aulay of Stwck.
James Colquhoune of Barnhill.	D. M^c^Farlane of Tulichintaull.
Patrick Colquhoune portioner of Millton.	John M^c^Lirdock of Litcletulich-owne.
Wmphra Colquhoune portioner ther.	Walter Logan of Cameron.
	John Garner of Clodachſyd.
Will. Denistowne of Colgrain.	Walter Buchanan of Gilliſtone.
John Noble Ferme.	J. Laing of Moreiſland.
Will: Noble Ferme yor.	Allexander Collquhoune of Glinns.
J. Bonteine of Geilſtoune.	James Pawll of Fairſlay.
James Donald of Achinſaille.	W. Cameron portioner of Kilp^r^.

9 Jan^r^ 1701.
Preſented & read in Parliament.]

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[ADDRESS by the Heritors of the Shyre of Renfrew.

TO his Grace his Majesties High Commiſsioner & the Right Hono^ll^ the Estates of Parliament.

The humble Addreſs & Petitione of the Heritors of the Shirriſdome of Renfrew.

THAT wheras after a long & expenſive Ware we expected the bleſsings of a happily concluded Peace by the reestablishing of our forraigne trade encuradging of home manufactoris, imploying of the poor in the improvement of our native product and the leſsning of our publict burdens.

Yet to the unſpeakable loſs and almost ruine of the Natione, wee find our trade senſibly decayed, our coyne being carried out to such places where the ballance of trade lyes upon ther syde for the importatione of ther commodities whyle ours are prohibited by them; all our manufactoris at home, (by the same meanes, and by remiſsnes of Magistrats in putting the lawes to dew executione) not receaving that encuradgement which the intrest of the Countrey requyres, so that our poor (both noumerous and burdenſome) are neither maintained nor imployed as they otherwayes might be; but more especially our Company trading to Africa & the Indies (in which the honour and intrest of the Natione is deeply concerned) meeting with so much oppoſitione from abroad and getting so little support at home after so great a loſs of men and expenſs of treaſure, ther Settlement in Caledonia may now too probably a second tyme fall under the same unlucky circumſtances as at first (if not prevented.)

And yet amidst all theſe hardſhips noumerous forces are still kept on foot occaſioning (now in tyme of Peace) unneceſsary taxes, which our wealthier neighbours have taken caire to restrict.

All which misfortounes & callamities which have befallen ws we eanpot but look upon as the effects of the displeaſure of the Almighty God for the great wickednes & immoralities that every where abound amongst all ranks & degries of men, to the dishonour of God & of our holy Religion debautching the spirits and corrupting the manners of the people.

May it therfore pleaſe your Grace & Right Hono^ll^ the Estates of Parlia^t^ to take some effectuall courſe for the suppreſsing of vyce and incuradgment of pietie vertew & induſtry and to put in executione the many laudable lawes for maintaining & imploying the poor that they may be uſefull (not burdenſome) to the Kingdome and for incouradgement of our manufactories at home and carrieing on our trade abroad with advantadge to prohibite the importa^tio^ne of such forraigne commoditys as tend only to the expenſs of the Natione & prejudice of manufactories and particularly to discharge all trade with France ay and whyle they allow the importing our herrings to them and take of the fyfty suce p tune with other great deuties latly impoſed by them upon such of our product as they allow to be imported; and to aſsert the Indian & African Companys right to the Collony of Caledonia which hes been and still is injuſtly called in queſtione by giving such support to it as may incuradge the adventurers to goe on with ane undertaking that may tend so much to the wealth honour & intrest of the Natione and to releive our Cuntrey of so great impoſitiones by keeping such ane number of standing Forces And in place therof to fall on such other methods for security of the Peace and support of the Government as may be more for the intrest of the Kingdome and more consisting with the Liberty of the Subject.

	W. Cuningham of Craigends.
Lodovick Houſtoune yor of Johnſtoun.	W. Fleming of Barochane.
	John Schaw of Grinock.
Arch^d^ Ballantyne yor of Kellie.	G. Houſtoun of Johnſtoun.
Ro: Hall Fullbare.	Lau. Crawfurd of Jordanhill.

Jo: Pollok of Faſyde.
James Walkinſhaw of that Ilck.
W. Cochran of Killmaronock.
Will: Hamilton Orbiston.
... Ralston of ꝑ Ilk.
Ja: Cochran of Mainſhill.
William Walkinſhaw of Scotſtoun.
John Leckie of Neullence.
Ro: Wrie of Southfeild.
John Urie of Houinhead.
Alexander Urie of Hwmbie.
Gawen Maxwell of Neuhows.
... Sempill of Cathcart.
Jo: Maxwell of Williamwood.
A. Stewart of Newtoune.
Ro: Roſs of Robinſhill.
Jo. Gilmour of Middeltoun.
James Allaſone of Fllendear.
William Stiven of Fllainder.
Alexr Lindſay Blackſtoune.
Geo: Pollock yor of Faſsyde.
John Wilſoune of Maidenhill.
James Adam of Kirkton.
Ro: Sempill of Balgreen.
Jo. Grahame of Dowgalſtowne.
Peiter Paterſoun of Caſtellhill.
Allexr: Cochrane of Craigmuir.
C. Allexander of Neutoune.
John White of Cariaghille.
Ga: Cochrane of Craigmoore.
Hew: Snodgraſs of Cariadgehill.
Jo: Maxwell of Dargavell.
Ja: McGilchrist of Northbar.
J: Shaw of Bargarran.
W. Paterſone of Craigtoune.
Willeim Ferrir of Kirkland.
Neill Snodgraſs of Neiſland.
George Birſbane of Roſand.
Ja: Birſbane of Bischoptoune.
... Ballantine of Kelley eaſter.
A. Stewart of Blackhall.
A. Napier of Blackſtoun.
Alexander Briſbane of Selviland.
Ro: Roſs of Kirkland.
Rot Pollock of Milburn.
A. Porterfeild of Fulwood.

9 January 1701.
Preſented and read in Parliament.]

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[ADDRESS for Inverneſs Shire.

TO his Grace James Duke of Queenſberrie His Majeſties High Commiſsioner, to the Parliament of Scotland, and to all the Honourable Members in Parliament now aſsembled, The humble Petition of the Heritors Wedſetters and Life-renters of the Shyre of Inverneſs.

Humblie Sheweth,

THAT after a long and expensive War we expected to have injoyed ꝑe bleſsing of a happiely concluded Peace by ꝑe reestablisſing of our forreigne trade incurraging of home manufactories imploeying ꝑe poor in ꝑe improvement of our native product and the leſsning of our publick burden: But instead thereof to ꝑe unspeakable loſs and almost ruine of ꝑe Natione we fynd our trade abroad sensiblie decayed, and our coine carried out, by ꝑe importation of commodities from places where ours are prohibited. Our woollen and opr manufactories at home, by ꝑe same means, and remiſsneſs of Magistrats in putting the Laws in due execution, receive not ꝑe incurragment, which ꝑe interest of ꝑe countrey requirs, whereby our poor are neither mantained nor imployed, as otherwayes they might, and more especiallie our Companie trading to Africa and Indies meit with such opposition from abroad, and getts so litle support at home, that after so great loſs of men and expence of treasure, their Setlement in Caledonia, may now, too probablie a second time, fall under ꝑe same unluckie circumstances as first, if not prevented. And after all these hardships, which ꝑe Nation groans under, the numerous forces are still keept on foot, whilest our much wealthier neighbours are disbanding; which occasions now in tyme of Peace heavie and unneceſsarie Taxes: All which misfortunes, and opr calamities which have of late befall'n us, we cannot but look upon, as ꝑe effects of ꝑe displeasure of ꝑe Almightie God, for ꝑe immoralities that everie where so much abounds, amongſt all ranks and degrees of men, to ꝑe dishonour of God, and our holy Religion, and ꝑe debauching the spirits, and ꝑe corrupting the maners of the people.

May it therefore please your Grace and Right Honourable ꝑe States of Parliament to take some effectuall cours for ꝑe curbing of vice, and putting in execution ꝑe manie laudable Laws for mantaining, and imployeing ꝑe poor ꝑt they may be usefull, and not burdensome to ꝑe Kingdome. And for ꝑe incurragement of manufactories at home, and carrieing on our trade abroad with advantage, to lay on such prohibitions upon ꝑe branches of our import, as may overballance our export, and particularlie that of France. And to aſsert our African and Indian Companies right to their Collonie of Caledonia, which has been, and still is unjustlie called in question, and to give such support to it as may incurrage the adventurers to goe on with their undertaking, which if vigorouslie pursued, may tend so much in ꝑe future to ꝑe wealth honour and interest of ꝑe Nation. And to releive our Countrey of so great a number of Forces, everie way so uneaſie to the people, and in liue thereof, to fall upon such opr methods, for securitie of the Peace, and support of ꝑe Government, as may be more for ꝑe interest of ꝑe Kingdome, and more consistant with the Libertie of the Subject.

Jo. McPhersone of Invereſhie.
... McPherson of Pitmean.
Malcolme McPherſone Breakache.
La. Mackintoſhe Bailie of Badenoch.
Dun. McKintoſhe of Achacha.
John McIntoſche of Lynbulg.
Don. McIntoſh younger.
Mm McPhersone of Etteriſh.
Alexr McPherſone of Phones.
Jo. McPhersone of Bencher.
Ja. McPherſon of Balchroan.
... McPhersone of Eaſter Delifor.
... McPhersone of Weſter Delifor.
James McPherson of Invernahaun.
Ro: McPherson of Dalradie younger.
... McPherson of Cuilluchile.
Allexr McPherson of Stramaſschie
Johne McPhersone of Sirabeg.
Dun: Mackpherſon of Inwertromach.
Alexr McPherson of Kincraig.
Mur: McPherson of Clune.
Paull McPherson yor ꝑof.
Jo: McPherſon of Coronach.
Angus McPherſon of Coriarnifdeall More.
William McPherſon of Knockanbuie.
... McPherſone of Pitechirn.
Donald McPhersone of Pitowrie.
John McPherſone of Ouvie.
La: McPhersone youn of Noid.
And. McPherſone of Realea.
Jo: McPherſone younger of Breakachy.
L. McIntoſhe of Strone.
A. McPhersone of Kyllihuntly.
... McIntoſhe of Balneſpick.
Jo. McIntoſhe of Blarugie.
Will. McIntoſh of Bell youn.
Will. Mackintosh of Crathie.
Dun: Mackintoſh of Gergusk.
Paul McPherson of Crathiecroy.
Geo: Gordon of Kinchie.
James Gordon of Keremeanach.
Peater Gordone of .....
James Gordone of Garve.
L. McIntoiſhe of Torcaſtle.
... McIntoshe younger of that Ilke.
A. McKintoſhe of Kellachie.
Will. McIntoshe of Borlum.
Ang. McIntosh younger of Kellachie.
Will: Mackintoſh younger of Borlum.
Wm McIntoshe of Aberardour.
A. McIntoshe of Farr.
W. McBeane of Kinchyll.
Al Shaw of Weſteleyes.
Jo. McKintoſhe of Sligoe.
Jo. Shaw of Bancher.
Do. McUeen of Clun.
Jos. McIntoſhe of Drumnadairy.
Jo. McQueen of Pollochak.
... McIntoſhe of Craigmor.
Alexr Clark of Dulmagevie.
John Clark yor of Dulmagevie.
Alex. McIntoshe of Mealt.
Duncan Clark of Milltowne.
John Shaw of wester .....
John McIntoſhe of eaſter Morell.
Benjamin McIntoſh of Coiginfairn.
Paule Mack Phaile of Inuererny.
Angus McIntoſhe of Achnagall.
John McBean of Drumond.
Jo: McBaine of Tomaiten.
J. McIntoſhe of Holme.
L. McIntoſhe of Corrabrough.
William McIntoſh of Balivat.
F. McGilliwray of Dunmaglish.
F. McGillivray of Aberchalder.
Jo. McGillivray of Dullcrombe.
Yean McGillivray of Culchlachie.
Allexr McIntosh of Lettirchulen.
Do: McBean of Phaillie.
Do: McPherſone of Elrike.
Do: McPherson of Eſsik.
... McKintoſhe of Dalmigavie.
John McQueen of Moreclune.
Alexr McPhersone of Tullochclurie.
Duncan McIntoſhe of Glenbeg.
... McQueine of Corebrach.
Will: Mackintosh of Glenbegg.
Dun: Mackpherſon of Clunie.
Wm McPherson of Noid.
Johne McPherſone of Dalraddie.

William Grant of Dellachapell.
James Grant of Achnahyle.
Robert Grant of Gartenmoir.
John Grant of Dellrachny.
Robertt Grantt of Kinclundie.
James Grant of Lettoch.
Patrik Grant of Raike.
... Grant of Mullochard.
Ja. Grantt of Achernek.
R. McDonell of Leathindie.
John Grant of Achrosk.
D. Grant of Lethindie.
Rot Grantt of Cure.
Wm Stewart of Corrichallie.
George Grant of Clurie.
Patrick Grant of Loynchurn.
Ludovick Grant of Tulloch.
J. Grant of Kirktoune.
Robert Lauson of Port.
Rot Grantt of Tullochribane.
Rob: Grant of Craggan.
Allan Grant of Aduie.
Ja. Grant yor of Mullochard.
John Fraser Achnahanet.
Gregor Grant of Raemore.
J. Grant of Glenleches.
D. Grant of Achnahanet.
Donald Grant of Conage.
Ludovick Grant of Tullochgribanbeg.
John Grant Killdare.
John Grant of Burnsyde.
Robert Grant of Easter Duthell.
Jo. Grant of Rothimun.
W. Grant of Castlecroy.
Lodok Grant of Dell.
Alexander Grant of Easter Tulloch.
... Blair of Easter Lethindie.
J. Grantt of Easter Elcheis.
James Grantt of Wester Elcheis.
Jo. Grantt of Ruddrie.
... Grantt of Bellintome.
John Grantt of Tamdou.
Thomas Grantt of Achonancan.
Alexr Grant of Ruddrie.
Jon Grantt of Knockenrich.
Pat. Grant of Galdwell.
Arch. Grant of Pelmore.
Al. Grant of Owertowne.
Robertt Grantt of Ringernie.
Al: Grantt of Bogenduy.
Archibald Grant of Edinbillie.
P. Grant of Rothimurchus.
Robert Shaw of Dell.
Johne Shawe of Dellnawert.
John Shawe of Geivfelich.
Donald Shaw of Bellahhagan.
P. Shaw of Kinrara.
John Grant of Glenmoristoun.
Jo. Grant of Corremonie.
Patrick Grant of Divach.
James Grantt of Kerrogar.
Will: Grant of Achamunie.
Ro. Cuming of Pitchirall.
J. Grant of Drumbuy.
Jno Grant of Deeldrekon.
Ja. Cuming of Dullshangie.
Allexr Grant of Blarly.

John McIntoshe of Garla.
Lachlan McPhersone of Laggan.
Jo. McPherson of Arbrylach.
J. McPherson younger pof.
Geo: Cuthbert of Castlehill.
John Cuthbert yor of Castelhill.
... Cuthbert of Arderfir.
William Baillie of Dunean.
Wm Robertsone of Insches.
Da: Polson of Kinmylies.
Ja. Baillie of Midleyis.
Wm Baillie Comr of Invernes.
Jo. Forrester Sherrif Clerk of Inverness.
J. Fraser of Belladrum.
Tho: Fraser of Dunballach.
A. Fraser of Culduthell.
Ja. Fraser of Achnagairne.
Jo. Frafer Cultmwes.
Jo. McLean of Davochgarroch.
Alexr Chisholme of Tewig.
Hugh Frafer of Dunekea.
T. Fraser of Gortuleg.
James Frafer of Faublair.
Ja. Fraser of Rilick.
A. Frafer of Kineres.
Alexr Fraser of Belladoun.
... Fraser of Eskadel.
Tho: Fraser of Boblen.
Thomas Fraser Sheuglie.
Ro: Robertsone of Foynes.
Hu: Fraser of Drumchirre.
Ran: McDonald of Teaknock.
William Frafer of Culbockie.
Will: Fraser of Fingask.
Sim: Frafer of Deany.
Tho: Frafer of Tenakyle.
All: Frafer of Glenvaikie.
Hew Fraser of Belnaine.
John Fraser of Garthmore.
Alexr Fraser of Bowchrubin.
Alexr Fraser of Faraline.
Alan MackLean in Lurgin.
Simon Frafer of Gefsachin.
James Frafer of Maine.
Simon Fraser of Achnacloich.
Wm Frafer of Culbrine.
And: Frafer of Bannance.
Hector Frafer of Craghalle.
Jo: Frafer of Culkeran.
Thomas Frafer of Crochell.
Allexr Fraser of Brolline.
Tho: Frafr of Grome.
John Fraser of Knowchuilin.
And: Fraser of Newtoune.
Johne Fraser of Aberskie.
John Frafer of Erogie.
James Frafer of Ardachie.
Jo: Frafr of Bunchagvie.
Alexr Frafer of Meikle Glendo.
... Baillie of Davochfoure.
Alexander Grantt yor of pt Ilk.
Johne Grantt of Ballnadaloch.
Ja: Grant of Gellovie.
Alexr Grantt of Kirdells.
Ludovick Grant of Dalvey.
W. Grant of Lurge.
Patt. Grant of Tullochgorme.
William Grant of Deallay.

Robt Grantt of Glachchuile.
Duncan Cuming of Gartailie.
William Frafr of Polmallie.
Ja: Grantt of Drumdroitt.
Ja. Grant of Clunemore.
Geo: Grant of Inverlaidnen.
Allexr Grant of Achnahaiglag.
Ludouick Grant of Whitree.
Lach: Grant of Dalnaboe.
Tho. Grant of Achnarow.
Will. Grant of Baircorm.

Dun: Grant of Livifid.
P. Grant of Craskie.
Pat: Grant yor of Dilldreggan.
Ar: Grant of Invervick.
Pet: Grant of Coinachan.
Will: Cuming of Miltoun.
James Cuming of Lochletter.
Will: Frafer of Gartaly.
Pat: Grant of Inchberrie.
James Cuming of Dullshangie yor.
Lach: Grant of Achtamrock.

9 January 1701.

Presented and read in Parliat.]

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[ADDRESS from the Shyre of Nairn.

WNTO his Grace His Māties high Comissioner and Right Honoll Estates of Parliat.

The humble Petitione of the Barrones & Heritors & others of the Shyre of Nairne.

Humbly Sheweth,

THAT whereas efter a long and expensive War which we most sensibly felt we expected to have enjoyed a happy Peace by reestablishing our forraigne trade incourageing of manufactories imploying the poor in the improvement of our native product and the lessening of our burdens Bot in place pof we find our trade sensibly decayed and our coyne caried abroad for commodities from places where ours are not allowed And also our Company (in whose prosperitie our honor & wealth so much depends) tradeing to Affrica & Indians meitts with such hardship from abroad and gets so littell countenance at home, that efter so vast a loss of men and treasure, ther Settlement in Caledonia may too probably a second tyme fall vnder vnlookie circumstances if not speedilie prevented And also that His Mātie and Parliat have been in vse to grant Commissiones of Justiciary for secureing the Peace of Highlands and that now the last Commissione is elapsed when in no age it was more necessar & vsefull then at this tyme And yet efter all these heavie circumstances the Nation is still burdened with numerous Forces whilst our wiser and wealthy neighbors are disbanding which occasions in tyme of Peace heavie and vnnecessary Taxes All which miseries and calamities we cannot bot look vpon as the effects of the displeasure of God for the great immoralities that every where abounds.

May it therefore please yor Grace and the Right Honoll the Estates of Parliat to take some effectuall course for restraineing of vyce and putting & imploying the poor in the improvement of our native product and for encouragement of our manufactories at home & cairieing on our trade abroad with advantage to lay on such prohibitiones on the branches of our import as may overballance our export And to asert the Indian Affrican Companyes right to ther Colony of Caledonia and to give such support to it as may be thought convenient for its subsistence And that a new Commissione of Justiciary may be granted which is so necessary at this tyme and to releive our Countrey of a proportionable pairt of the Forces every way so troublesome to the people And in liew pof to fall vpon such methods for securitie of the Peace as yor Grace & W shall think fit.

H. Rose of Kilrak.
Al. Dunbar of Boath.
D. Brodie of Lethen.
Alexr Falconar of Blakhills.
Hugh Rose of Clava.
Al. Brodie of Dunnearne.
Geo: Brodie of Aslesk.
J. Dunbar sheriff dept.
Hugh Rose of Broadley.
Hugh Hay of Brightmony.
Ja. Southerland of Kinstery.
Lach. McLean of Keppernan.
Tho: Brodie of Pitgouny.

9 Janr 1701.

Presented & read in Parliat.]

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[ADDRESS Shyre of Fyffe.

TO His Grace His Majesties High Commiſsioner and the Right Honorable the Estates of Parliament,

The humble Addreſs & Petition of the Heretors of the Shirifdom of Fife.

THAT nou after so long & expensive a War, attended with ane unheard of scarcity & many other calamities, instead of injoying the bleſsings of a happy Peace, encouragements for trade & manufactories; a right imploying of the poor, and eas of publict burdens as was expected, wee still find, not only great discouragments to trade, increas of poor, & want of money to pay a standing army, but above all what wee are most deeply sensible of is a violation of that soveraignty, freedom, & independency of this Kingdom, which our predeceſsors have formerly so nobly defended with their blood, and the incroachments upon which seem to us, caus of the great loſses wch the Affrican & Indian Company have sustaind in their Caledonian Colony setled in Darien, contrair to their priviledges, & the lau of Nations, and which wee doe conceive to be of so general & national a concern as cannot but affect the minds of every true hearted Scotsman.

May it therfor pleas your Grace & the Right Honorable the Estates of Parliament to take it into your serious consideration, and in some solemn maner aſsert the Kingdoms freedom, soveraignty & independency: vindicat & support þe Indian & Affrican Company in the right to their Setlement in Caledonia, repair their loſses, aſsiſt them to proſecute ane undertaking so much for þe honor & wealth of þe Nation; and fall upon such methods as in your profound wisdoms shall be thought most effectual for maintaining & imploying þe poor, encourageing all manufactories at home, restraining þe exportation of coyn, releiving us from a standing Army in tym of Peace, and to fall upon such other methods for security of þe Peace & support of þe Government as may be most for the interest of þe Kingdom & Liberty of the Subject.

Yester.
Mr Geo. Arnott of Grange.
Robert Forbes of Riris.
James Fairfull of Kilduncan.
David Carſtorphine portioner in Kingſbarns.
Alex^r Bridge portioner in Kingſbarns.
T. Bruce of Blairhall.
J. Browne of Bogward.
Ro. Scott of Spencirfeild.
David Lindſay of Kirkforther.
Henry Wardlaw of Pitravie.
Will. Henderson of Fordell.
Ja. Lindsay of Kavill.
Ja. Holburne of Menstrie.
Robert Ged of Baldrige.
Ja: Bennett of Graing.
Jo. Stanhous of Southfod.
M. Dun. Whyt of Cruiks.
Jo. Forreſter of Carberrie.
Jo. Dewar of Laſodie.
H. Wardlaw of Luſkar.
David Wardlaw of Craighouſe.
P. Seton of Lathrisk.
John Balfour of Fernie.
J. Kinnier of Kinnier.
J. Malcolme of Foxtoun.
John Craford of Montquhne.
J. Arnott of Woodmile.
W. Anſtruther.
David Leſlie maſter of Lundors.
Jo. Preston Baronet.
Geo: Sinclair Barone.
Hen: Balfour of Denbuge.
Ja. Preſton of Denbre.
An: Baillie of Parbroath.
Ro^t Herriot of Ramorny.
Pat: Roſs of Hilcairnie.
Jo: Wemyis of Winthank.
Tho: Weems of Fingaſk.
D. Clephane of Carſlogie.
R. Douglas of Glenbervie barronett.
Ar. Makgill of Kemboke.
Captn Alex^r Bruce of Petothe.
W. Trent of Pitcullo.
G. Patersone of Dinmuire.
Jo. Imrie of Crowie.
Geo: Hay of Mortoune.
Jo. Cuninghame of Banden.
John Malcolm of Inuerteill.
Ja. Law of Burntoune.
R. Balfour of Balbirne.
J. Balfour of Collachy.
Mich: Malcolm of Balbeadie.
M. Da. Dewar of Balgonie.
Boſwell of Gleniſtoune.
J. Skene of weſter Bogie.
... Ruſſell of Balmalkim.
James Walker of Daftmill.
Geo: Arnott of Woodmill you^r.
John Barclay of Colernie.
D. Andersone of Ferriebanck.
Da: Orme of Amriecruik.
Pat: Forbes of Lumq^t.
James Nicolſone porſhoner in Strakes.
Alex^r Weyeymes porſoner of Ballow.
Ro^t Lentron of Kincaple.
Ja: Martine of Clearmonth.
Jo. Bethune of Craigſudie.
James Scott of Dron.
John Wemys of Lathockar.
D. Boiſwell of Dovan.
T. Nairne of Craigtoune.
James Linſay of Balkirſt.
P. Anſtruther of Anſtruther.
Ro: Anſtruther of Balcaſke.
.....
Jo. Watſon of Dunekeir.
J. Alexander of Skeddoway.
Pa: Murray Pittloche.
P. Greig of Ballingrie.
W. Arnott of Achmur.
Robert Douglas of Strahenry.
... Arnott of Arnott.
Ro: Bogie of Lenneſtoun.
Will: Dudingstone of St Foord.
Jo: Carſtairs of Kinneucher.
Col. Arthour of Ballon.
Al. Monniepennie of Pitmillie.
William Lyell portioner of Kingſbarns.
John Aytoune of Kinnaldy.
Andreas Smith yownger of Food.
James Stanhous of South Food.
Andorw Smith of Food.
John Dewar of Beath.
Laurence Walls of Moſyde.
Hendrie Belfrag of Coltstown.
David Dowglas of Gellits.
Ja. Halkett of Pitfirren.
Ja: Moutray of Reſcobie.
Michaell Balfour of Forrett.
W. Aitoun yor of Aitoun.
Wm Schaw of Goſpertie.
G. Birrell port^r of Kineſkwood.
Will. Arnot po^r Kinaſkwood.
James Hoy .....
Thomas Craige of Lamonths Law.
... Rachie of Ballmediſyd.
Jo. Aitoun of þ^t Ilk.
Michaell Balfour Baronet.
Cha: Cheape yor Roſsie.
Alex. Spens of Beriholl.
Ja: Maxuell of Lekebank.
Alex^r Thomſon of Yerdland.
Robert Maxwell of Brounbrae.
Walt: Scot of Eadniehead.
Al. Nairne of St Foord.
A. Bruce of Earliſhall.
Phi. Hamiltone of Kilbracm^th.
A. Balfoure of Northbank.
Will. Jack of Poſſil.
Jo: Pattullo of Balhouſſie.
Alex^r Nairne of Friertoun.
W. Imrie of Flaſs.
Ja: Robertsone Portioner of Grange.
Ja. Robertsone of Newbiging.
Al: Aytoune of Inchdarnie.
John Leſlie of Eastquarter.
... Beatſone of Kilrie.
Ja. Betsone of Glesmonth.
John Skene of Hallyards.
Will. Aytown Douglas of Kinglesy.
.....
... Archibald portinor of Drumard.
James Archibald portioner of Balbrikie.
Henry Stephanson Over Ballmoolde.
Robert Ged of Baldrig you^r.
Will: Wemyes of Cuttlehill.
Hen: Wardlaw po^r of Luskar.
Jo: Morres of Coldensbeath.
Jo: Stivenson of Stivenson Bath.
Wm Halkerſtone of Halkerstons Beat.
J. Balfour of Baith.
Thomas Mwdie of Laſſoddie.
John Aitken of Thorntoune Milln.
David Black of Cocklaw.
David Aitken of Windag.
J. Balcanquall of þ^t Ilk.
J: Colqwhown of Corſtowne.
Geo: Lundy of Drum.
Mungo Law Pitlouk.
John Arnot of Chapell.
... Leſſills of Riggs.
D. Balfour of Kinloch.

9 Jan^r 1701.
Preſented & read in Parlia^t.]

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[ADDRESS Shire of Bamff.

THE humble Petitione of the Heritors in Banffshyre to his Grace his Mäties High Comiſhioner and Right Honourable States of Parliament,

May it pleas your Grace and Right Honorable Eſtates.

THAT after a long and expensive Ware, we expected to have enjoyed the bleſsing of a hapily concluded Peace, by the reeſtablishing our foregne trad encouradging of home manufactories imployeing the poor in the improvement of our native product, and the leſsning of our publict burden But instead þ^rof to our unſpeakable loſs and almoſt ruin of the Natione, we find our

trad abroad sencibly decayed and our coyne caryed out by the importatione of comodities from places wher ours are prohibited our woollen and other manufactories at home, by the same means and the remiſsneſs of Magistrates in puting the Lawes in dew executione receave not the incouradgment which the interest of the countrey requers wherby our poor are neither mantained nor imployed as oꝑwayes they might, and mor especieally our Company trading to Affrick and the Indies meit with ſo much oppoſitione from abroad, and gets ſoe litle ſuport at home, that after soe great a loſs of men and expence of traſure their Setlement in Calledonia may now too probablie a second tyme fall wnder the same unluckie circumstances as first if not prevented And yet after all theſe hardſhipps which the Natione groans wnder, the numberous forces keept on foot whyle our much wealthier nighbours are disbanding which occaſions now in tyme of Peace heavie and wnneceſsar Taxes All which miſortouns and other callamities which have of late befallen us wee cannot but look upon as the effects of the diſpleaſure of the Almightie God for the great immoralities that every wher soe much abounds amongst all ranks and degrees of men to the dishonnour of God and our holy Religione and the debauching the ſpirits and the corupting the maners of the people.

May it therfor please your Grace and the Right Hone^{ll} States of Parliament to take some effectuall course for the corubbing of vice and puting in executione the many loudable lawes for mantaining and imployeing the poor that they may be usefull and not burden*some* to the Kingdome And for the encouradgment of manufactories at home and carying our trad abroad with advantage to lay on such prohibitions upon the branches of our import as *may* overballance our export and particularly that of France And to aſert our Affrickan and Indian Companies right to ther Collony of Calledonia which hes been and still is wnjustly called in queſtione and to give ſuch ſuport to it as may encouradge the adventurers to goe on with ther wndertaking which if vigorouſly persued may tend soe much in the futur to the wealth honnor and interest of the Natione and to releive our Countrey of ſoe great a number of Forces every way ſoe wneaſie to the people And in lew therof to fall upon ſuch other methods for security of the Peace and ſuport of the Goverment as may be mor for the interest of the Kingdome and mor consistent with the Libertie of the Subjects.

Patrick Ogilvie of Boyn.
J. Anderſon of Mowdhouſſ elder.
J. Anderson of Mudhouſe yor.
W. Innes of Ortoune.
J. Leſly Parkbegg.
Alex^{r} Innes of Stentoun.
Alex^{r} Leſlie of Bochreme.
Jo^{n} Stewartt of Drumin.
J. Stewart of Kilmeichlie.
Grigor Grant of Delavorar yor.
G. Farq^{r}ſon of Camdell elder.
John Farq^{r}ſone of Camdell yor.
Jo^{n} Grant of Nevie elder.
Patt: Stewartt of Tombal.
Ro. Grant of *Daſkie.*
Ja. Grant of Downan.
Jo: Grant of Blairfindie you^{r}.
Jo^{n} Grant of Achriachan.
.... Grant of Achlichnie.
Thomas Grant of Newie younger.
Jo^{n} Grant of Tomavillean.
Alex^{r} Grant of Tounkirke.
Wm Grant of Blarfindie elder.
K. Nairne of Corlach.
Lodouik Gordon of Minmore.
Jhone Ogilvye of Kempcairne.
Al. Sup^{r}land of Kinminitie.
Alex^{r} Abercromby of Glaſſaugh.
James Ogilvie of . . . . .
Ja: Gordon of Ardmeallie.
. . . Gordone of Achoynannie.
A. Gordone of Achynachie.
J. Abernethie of Mayer.
John Grantt of Carrone.
Pet. Gordone of Ardmealie yor.
Wa: Grant of Arindillie.
Alex^{r} Leslie of Kininvie yor.
Jo: Cuthbert of Brakenhills.
Jo: Innes of Edengight elder.
James Abernethie of Barrie.
Jo. Innes of Edengeich yor.
James Leſlie of Tullich.
Ja: Ogilvie of Badintowll.
Jo. Hamiltoune Boghead.
Robert Ogilvie of Hawhes.
Geo. Ogilvie Cantly.
Jo. Mitchell of Achansie.
John Strachan of Kello.
P. Mc^{e}Ferſone of Knoken.
Alex^{r} Innes of Achoyniany.
George Gordon of N^{r} Buckie.
Ro^{t} Grantt of Denlugas.
Allex^{r} Grant of Bellintome.
Alex^{r} Hay of Mount Blaire.
J. Ogiluye of Baldavie.
Alex^{r} Abercromby of Skeith.
Jo. Gordon of Thornibank.
Sir John Gordon of Park.
W. Joaſs of Colleonard.
John Grantt of Milltoune.
Ja: Grant of Tombreacachie.
Jo: Grantt of Dellwocar elder.
W. Gordoune of Boots.
All: Robertsone of Cults.
Jo^{n} Grantt of Delmore.
John Grant of Culquoch.
Jo^{n} Gordon of Aberlour.
Jo. Abernethie of Corſkie.
Geo: Gordon of Buckie.

Ed^{r} 9 Jan^{r} 1701.
Presented & read in Parliament.]

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[ADDRESS from the Shyre of Elgin and *Forres.*

UNTO His Grace his Majesties High Comiſsioner and the Right Honourable the Estates of Parliament,

The humble Adresse of the Shyre of Elgin and Forres.

THAT wheras after a long and expensive Warr wherof we of this Shyre have hade our heavie burden (as being the common road by which the Forces passed south and north and where many of them lay upon local quarter) we expected to have reaped the blessinges of the happie Peace by an ease of our heavie Taxes and the reestablishing of our forraign trade and home manufac*tories.*

But instead of these we find an Armie keept on foot wherby our Taxes are continowed; our manufactories at home togither with our forraign trade much decayed, and particularlie our African and Indian Companie opposed by our neighbouring Nationes, wherby it has alreaddie suffered vast loſse of men and money and is in imminent danger of being quyte overthrowen.

May it therfore please your Grace and the Right Honourable the Estates of Parliament to take to your serious consideration our present *heavie* Taxes occasioned by our *standing* Army too numerous out of all proportion to that of our wise and wealthie neighboures, and *give* such encouradgment to our *manufactories* at home as the great number of poor occasioned by the late famine may be usfull and not burdensome to the Kingdom, and to give such support to our African Indian Companie as the honour of the Nation fast chain'd to its fortune at present calls for, and the well grounded hopes of inriching the Nation by its succeſse can prompt you to.

R: Gordon of Gordonſtoun.
James Dunbar of Kinteack.
A. Cuming Altyr.
. . . Innes of that Ilk.
Geo: Innes of Dunkinte.
John Innes of Leuchars.
Alex^{r} Dunbar of Biſhopmilne.
Walter Innes of Blakhills.
Rob: Dunbar of Neutoun.
David Stewart of Neuton.
W. Sutherland of Roſehauch.
W. King of Neumill.
Lo: Dunbar of Grainge.
Alex^{r} Tulloch of Tannachie.
Al. Dunbar of Weſtfeild.
Tho. Dunbar of Eaſterbirne.
Rob: Dunbar of Grainghilh
John Brodie of Wyndiehills.
.... Dunbar of Moy.
Jonathan Dunbar of Tilleglens.
Mr Patrick Dunbar of Killflett.
A Cuming of Blairs.
John Dunbar of Boiges.
Will. Brodie of Coltfeld.
Robert Dunbar of Dunphaill.
Al. Brodie of Whytraw.
Robert Wrquhart of Burdſyeards.
James Brodie of Whithills.

9 Jan^{r} 1701.
Preſented & read in Parlia^{t}.]

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[ADDRESS from the Stewartrie of Orknay.

TO his Grace his Majesties high Commiſsioner and the Right Honourable the Estates of Parliament,

The humble Adreſs and Petitione of the Heretors Vdellars and Tennents of his Majesties propertie within the Steuartrie of Orkney.

THAT where as after long and expensive Warr wee have expectit to have enjoyed the blessings of ane happilie concludit Peace, by the reestablishing of our forraigne trade, encuradging of home manufactories imploying of the poor in the improvement of the native product of the Kingdome and the lefsning of our publict burdens but in stead thereof to the vnspeakeable lofs and almost ruine of the Natione, Wee fynd the traid of the Natione in generall and ours in particular sensiblie decayed and our coines caried out by the importatione of commodeties from places where ours are prohibited Our woollen and other manufactories at home by the same meanes and the remifnefs of Magistrats in putting the lawes in due executione receave not that incuradgment which the interest of the Kingdome requyres wherby our poor are neither mantained nor imployed as they otherwayes might be, And more especiallie our companie tradding to Affrica and the Indies meitts with so much oppositione from abroad and getts so litle support at home, that after so great lofs of men and expence of Treasure ther Setlement in Caledonia may now to probablie a second tyme fall vnder the same vntymlie and vnlookie circumstances as at first if not prevented.

And yet efter all theſe hardſhips which the Natione groans under, numerous Forces are still keeped on foott whyll our mutch wealthier neighbours are disbanding which occasiones now in tyme of Peace heavy and unneceſsarie Taxes, Its also weill knowen to this Honourable Court of Parliament what sadd disadvantages our Countrie lyes under by reasone of our cituatione in so northern and cold a climate and in lyeing so farre distant from the supream Courts of the Kingdome whence the great and last releiff is to be hade in all caices which distance is so much the more griveous that great and tempestuous seas are interjected to which disadvantadge wee have alſo to add the extream calamitie of these fyve last yeeris which through backward and miserable harvests with the rigiditie and oppreſsione of the Taxmen and Farmers of his Majesties Revenew who are both our judges and pairtie that thousands of our people have been killed and ſterved and almoſt brought the whole Countrey to ruine And its verrie weill knowen that when our Countrie was vnder Chamberlanrie his Majesties Reveneus wes nott onlie better payed the Kings propertie fullie possest and laboured (which now for the most pairt is lying waiſt onlie occasioned by the oppreſsione and exorbitant exactiones of the Tacksmen as said is) but also alſe much payed by us to his Majestie as the Taxmen have payed for the ſeverall yeiris of ther tacks And wee muſt further lay before your Grace and Honourable Estates of Parliament that amongſt others of our misfortouns and oppreſsiones that although by the severall acts of Parliament and acts of the Comissioners for payment of Ceſs and Supplie to his Majestie ther wes allwayes regaird hade to his Majesties propertie and the Biſhoprick in our Countrie to bear and pay conforme to the valuatione what wes from tyme to tyme imposed, Yet the Tacksmen and Farmers through ther wilfull neglect in not payeing ther due proportiones although wee did tymeouſlie pay our proportiones yet for the deficiencie of the Tackſmens pairt wee have been allwayes quartered upon to our great lofs For remeade whereof wee did apply to the Lords of his Majesties Theſaurie but gott no returne from them All which misfortouns and other calamities which have befallen us wee cannot but look upon as the effects of the displeasure of the Almightie God, for the great immoralities that wee and the Natione abound with to the dishonour of God and our holy Religion, and debauching the spirits and corupting the maners of the people.

May it therefore please yor Grace and Right Honourable Estates of Parliament to take some effectuall courſe for the curbing of vice and putting in executione the many laudible lawes for the mantining and imploying the poor that they may be vſefull and not burdenſome to the Kingdome and for the incouradgment of our manufactories at home and carieing on our trade with advantadge to lay on sutch impoſitione on the branches of our import as may overballance our export and particularlie that of France and to affert the Indian and Affrican Companies right to ther Collonie of Calledonia which is still called in questione and to give support to it which if vigorouslie caried on may tend so much in the future to the wealth honour and interest of the Natione and to releive the Kingdome of so great a number of Forces evry way now in tyme of Peace so vneasie to the people and to appoynt fiars yeirlie to be struck in our Countrey for the severall species of victuall oylle and butter payable to his Majestie which his Majesties other vaſſalls in the Kingdome have the benefite of (with regaird to our graine which is a thrid worſe then any in the Kingdome) and as to the butter & oyll to liquidate the same to sixteen pound per barrell of butter and twelve pounds per barrell of oyll conforme as they have been for many yeires together compted for in Excheq^r in fitting the æquies for the saids dewties in the said Steuartrie wherby and by the bleſsing of God our poor miserable and depopulate Countrey may recover to its former consistancie whyle under Chamerlands his Majesties propertie (now for most pairt waist) againe possest wherby wee will be more enabled to pay his Majesties Reveneus as also take some effectuall course for preventing our said vnjust quarterings for the deficiencies of his Majesties propertie upon us who are nowayes lyable therfore. And your Petitioners shall ever pray.

	Ja. Grahame.
Thro. Baikie.	Geo. Græme.
Rob. Sinclair.	Jo. Steuart.
John Covingtrie.	David Traill.
Geo. Traill.	R. Stewart.
Geo: Traill.	Will. Craigie.
Nicoll Craigie.	Ja. Stewart.
Ro. Stove.	Hugh Baikie.
. . . Stanieflet.	Wm Traill.
Johne Smith.	Wm Riddell.
	Patrick Murray.

9 Jan^r 1701.
Presented & read in Parlia^t.]

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[ADDRESS the Burgh of Perth.

UNTO his Grace his Ma^tie^s high Commiſsioner and the Right Honorable the Eſtates of Parliament,

The Addreſs and Petition of the Burgh of Perth,

Humbly Sheweth,

THAT whereas these severall yeares bygon we have (beside the calamityes of warre and dearth which were common to us with others of this Kingdom) suffered most sensibly as being the place of the greatest confluence of his Ma^tie^s Forces for reduceing the Highlands, whereby not only the cornes of the cropts 1689 and 1690 particularly these belonging to this community and the hospitall and poor there were almost intirely cutt doun by the troups, but also by the continowing Forces upon us in such numbers as the condition of the place can hardly support, the prices of victuall and other vivers which we ordinarly hade here att the eaſiest rates of the Kingdom have been these many yeares

and doe yet continow to be att ane greater height with us then any of the neighbouring places, And beside the manifest and knowen decay of our trade in those things that are the native product of this place of the Kingdom, we doe suffer in a singular manner in the trade of Salmond and that by reason of ane extraordinary imposition thereupon by the French beside the 50 sols p tunn imposed by them upon all Scotts bottoms.

All which hardships and calamityes we have hitherto most patiently suffered albeit the prefsures we lay under by our lofses & difsadvantages and quartering such considerable numbers of Forces upon us were just grounds of complaint and might have moved redrefs, especially seing as to the lofses of our cornes we hade good reason to expect ane effectuall course to be taken with us from that satisfaction proposed by the act of Parliament anent the three moneths Cefs and Hearth mony, and the Peace gave us hopes that the effects thereof would appear and compense and make up all our other lofses.

And seeing that we have repeated promises from his Matie for the encouragement of our trade and his gracious letter to the pñt meeting of Parliament wherin he regrates the Kingdoms lofses and is pleased to promise all favour and protection to his subjects of this Kingdom from all which we are encouraged to entreat that

It may therefor please your Grace and the Right Honble the Estates of Parliament to take the premifes to your serious consideration and find out proper and effectual methods for afserting the honor and independency of this Kingdom which now seems to be so much injured by the renued and great discouragements to our Collony of Caledonia and to afsert the Nationes right thereto which hes been and still is called in question and to give such support to trade as that adventurers may be encouraged which his Matie by his gracious promises has given them ground to expect and that tradeing with France may be discharged untill they take off the prohibition of importing our herring and imposition upon Salmond and Scots ships there As also not only to discharge the import of cloth that the manufactories at home may be encouraged and the poor rightlie imployed But also the import of all English cloth and stuffs silk or woollen and the wearing thereof in the Nation att least ay and whyle the imposition laid upon our linning cloth in England be taken off, and to releive our Country of so great a number of Forces which are so burdensome and uneasy to the people and to fall upon such other methods for secureing the peace and support of the Government as may be most for the satisfaction and intrest of the Kingdom and as a seasonable support to this Burgh in its distrest and decayed condition, to think upon some effectuall means whereby that our antient bridge upon Tay which was so necefsary and usefull to the whole Kingdom and particularly of singular use and conveniency to his Maties Forces upon all occasions may be rebuilt. And your petitioners shall ever pray, &c.

	G. Oliphant Provoft.
Pa. M^c^keven.	J. Robertfone Bailie.
Walter Fechnay.	Jo^n^ Bryce Bailie.
Cha. Meluen.	Andrew Gairdner Baillie.
David Walker Convinar.	J. Broune baillie.
Ja. Broun deken of Gloueres.	Geo. Runfiman Thef^r^.
George Wilfon deken of the wreghts.	Pat: Davidfone leat provoft.
	Robert Robertfon den of gild.
J. S. Deacon of taylors.	J. Ramsay.
J. B. Deacon of fleshers.	George Robertfone.
Willeam Moncrieff deacon fhoemakers.	Ja. Brown.
	Wm Auftin.
James Taylor deacon of hamermen.	James Chapman.

9 Jan^r^ 1701.

Prefented & read in Parliament.]

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[ADDRESS and Petition be the Burgh of Dysert.

UNTO his Grace the Duke of Queensberry, His Majesties High Commifsioner and the Right Honorable Estates of Parliament,

The humble Addrefs and Petitione of the Magistrats and Toun Councill of Dyfert in name of the Communitie.

THAT where after a long and expensive Warr wee expected to have enjoyed the fruits of an happy Peace in the encourageing of forreign trade, and of manufactories at home, in the employing the poor of the Natione (which through the dearth of victuall are become verry numerous) in improveing the naturall product at home, and in lefsening the burthen of the Nation.

But infted of thefe blefsings we are extreamly sensible of the decay of trade that our export is prohibited almost every where, especiallie in the Kingdome of France that our Nationo is drained of coine, and though we have good and wholesome lawes for incourageing of trade, yet that they are not put in executione, that our poor are not imployed as they aught to be, And to consummat our miferies that a standing Army in tyme of Peace is keeped up a heavy burden to the Nation.

Amongst other our misfortunes we cannot but be sensible of the repeated discouragements our Collony of Caledonia has met with, which though they hade Acts of Parliament and his Majesties Letters Patent in their favours, and though a vaft treasure was expended in that expeditione, yet meafures have been taken to defeat the design, to dishearten the Colony, after their Settlement, which to our great grief have proved too effectuall, by which means many of our countrymen have lost their lives through the inhuman usage of their unkind neighbours, in the florishing of which Colony were placed the hopes of recovering our sinking State and Natione.

May it therfor pleafe your Grace, and the Right Honorable the Estates to take the premifses into your confideration, and to fall upon fuch proper and effectuall meafures as yow in your wifdome shall thinke fitt, for incourageing forreign trade and manufactories at home, for imploying the poor in improveing the naturall product of this Kingdome, for supporting and protecting our nationall intreft of Calledonia and for easing us of the burthen of so many Forces in tyme of Peace, And your petitioners shall ever pray.

	G. Eaffon Bailie.
Da. Thomfon.	Jo: Mortimer.
David Dorkie.	James Reddie.
Alex^er^ Kilgowr.	John Patterfon.
Dawid Dorkie.	Walter Heagie.
John Elacke.	James Blacketer.
James Grieg.	James Webster.
James Thomson.	John Aleson.
William Bett.	James Paterfone.

9 Jan^r^ 1701.

Prefented & read in Parliat.]

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[PETITIONE for the Toune of Kirkaldie.

UNTO his Grace the Duke of Queenfberry his Majesties High Commifsioner and the Right Honorable Efteats of Parliament,

The humble Adrefe and Petitione of the Magiftrats and Toune Counfell of Kirkaldie in name of the Communitie therof.

Sheweth,

THAT wher after a long and expensive Warr we expected to have enjoyed the fruits of ane happy Peace in the encurrageing

of forreign trade and of manufactories at home in the imploying the poore of the Natione (which through the dearth of victualls are become verrie numerous) in improveing the naturall product at home and in lefsening the burdeane of the Natione.

But inſtead of theſe bleſsings we are extreamlie ſenſible of the decay of trade that our export is prohibited almoſt everie where eſpeciallie in the Kingdome of France that our Natione is drained of coin, And though we have good and wholſome laws for incurageing of trade, yett that they are not putt in executione, that our poor are not imployed as they ought to be, And to conſummat our meiſeries that a ſtanding Armie in tyme of Peace is keeped up a heavie burdeane to the Natione.

Amongest other our misfortouns we cannott but be ſenſible of the repeated diſcuragements our Colony of Caledonia hes mett with which though they had Acts of Parliament and his Majeſties Letters Patent in ther favours And though a vaſt treaſour was expendit in that expedition yett meaſours have been taken to defeatt the deſigne, to diſhearten the Colony after ther Setlement which to our great greiff have proved too effectual By which meines many of our cuntrymen have loſt ther lives through the vnhuman vsage of ther unkind neighbours in the floriſhing of which Colony were placed the hopes of recovering our ſinking State and Natione.

May it therfor pleaſe your Grace and the Right Honorable the Eſtates of Parliament to take the premiſſ into your conſideratione, and to fall vpone ſuch propper and effectuall meaſours as yow & your wiſdomes ſhall think fitt for incurageing foreign trade and manufactories at home, for imploying the poor, in improveing the naturall product of this Kingdome, for ſupporting and protecting our intereſt of Caledonia And for eaſing us of the burdeane of ſo many Forces in tyme of Peace, And your petitioner ſhall ever pray.

By order of the Magiſtrats & Counſell signed by
Ja. Smeitone Cls.

9 Janr 1701.
Presented & read in Parliament.]

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[ADDRESS & Petitione the Burgh of Anſtruther Easter.

TO His Grace the Duke of Quensberry his Mäties High Commiſsioner and the Right Honll Estates of Parliament, The humble Adreſs and Petitione of the Magestrats & Toun Counſell of the Burgh of Anſtruther Easter.

THAT since his Mäties happie accefs to the Thron of this Kingdome, and ꝑe ending of the late expensive War, we expected the Prisbiterian Government of this Church as now by Law establiſhed should have bein fecured agt all invaſiones, and that our forraigne trade, and manufactories at home ſhould have bein incuradged by ꝑe export of our native commodities, by imploying the poor in improveing the naturall product of ꝑe Cuntrie and in leſsneing the burden of the Natione.

But we cannot but regrait the caice of the Church, which although ther be many good & wholsome lawes for ſetleing the ſamen and ſtrengthneing ꝑe hands of ꝑe miniſters in the exerciſe of their ministrie the ſamen lawes are not put in execution, but Popprie Impietie and other immoralities doeth much abound.

And we are extreamlie sensible of the decay of trade both at home & abrode, and that our herrings and fish are prohibited in many places especiallie in the Kingdome of France although the Government doeth allow all French comodities to be imported and sold in this Natione; our manufactories at home & the poor are not imployed & incuradged as they aught to be, and our Cuntrie much drained of money, throwgh theſe severall yeares scarsitie & keepeing up of a standing Army in tyme of Peace which is burdenſome to ꝑe Natione.

And we cannot but be sorrie for ꝑe great loſs & many discuradgements our Collony of Calledonia hath met with throwgh ꝑe inhumain wſage of unkynd neightbours; and the meaſurs that have bein taken to inafectuat the ſd Collony after soe vast a treasur hes bein expended in that expeditione in the florishing wherof wer placed the hopes of recovering much gain and advantage to the Natione.

May it therfor please yowr Grace and the Right Honll the Estates of Parliament to take the premiſses unto yowr conſideratione and to make ſuch good and wholſome lawes as yow in yowr profound wiſdom ſhall think fitt for ſecureing of ꝑe Church agt all invaſiones whatſomever, for extirpateing of Popperie Impietie and other abounding immoralities, for incuradgeing of trade at home & abroad by dischargeing the import of French commodities, untill the prohibition in France be taken of our fish & herrings, for imployeing the poor, in improveing the naturall product of this Kingdome, for easeing the burden of soe many Forces in tyme of Peace, and for aſserting the just right to our Collonie of Calledonia, And yowr petitioners ſhall ever pray.

Henrie Smith baillie.
John Ramſay. Ja: Halson Bailie.
Alexander Darſey. Wm Fairful.
Alexander Paton. W. Lumsden Baillie.
Tho: Duncan. Thos Martin.
Georg Thomson. George Scott.
James Pearsone. Jo: Lou.
John Irland.

9 Janr 1701.
Presented & read in Parliat.]

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[ADDRESS from the Burgh of Inverneſs.

TO his Grace James Duke of Queensberrie his Majesties high Commiſsioner to the Parliament of Scotland, and to all the Honourable Members in Parliament now aſsembled, The humble Petition of the Magistrats, Town Councill, Gildrie and Incorporationes of the Burgh of Invernes.

Humblie Sheweth,

THAT after a long and expensive Warr we expected to have enjoyed the bleſsing of a happiely concluded Peace, by the reeſtablishing of our forraigne trade, incouraging of home manufactories, imployeing the poor in the improvement of our native product, and the leſsning of our publict burden, But in steade therof, to the unspeakable loſs and almost ruine of the Natione wee find our trade abroad sensiblie decayed, and our coyn carried out by the importation of commodities from places wher ours are prohibited, our woollen and other manufactories at home by the same meanes and remiſsneſs of Magistrats in putting the lawes in due execution, receave not the incouragement which the interest of the Countrey requires. Wherby our poor are neither mantained nor imployed as otherwayes they might And more eſpeciallie our Companie tradeing to Affrica and Indies meet with such oppositiones from abroad and getts so litle support at home, that after so great loſs of men and expences of treaſure their Settlement in Caledonia, may now too probablie a second tyme fall under the same unluckie circumſtances as first if not prevented, And after all theſe hardships, which the Nation groans under, the numerous Forces are ſtill keept on foot (whilſt our much wealthier neighbours, are diſbanding) which occasiones now in tyme of Peace heavie and unneceſsarie Taxes, All which misfortunes and other calamities which have of late befallen us, wee cannot but look upon as the effects of the diſpleaſure of Almightie God for the immoralities that everie where so much abound

amongſt all ranks and degrees of men to the dishonour of God and our holy Religion, and the debauching of the spirits, and the corrupting the manners of the people.

May it therefore please your Grace and the Right Honourable the States of Parliament, to take some effectuall courſe for the curbeing of vice and putting in execution the many laudible lawes, for mantaineing and imploying the poor, that they may be usefull and not burdenſome to the Kingdome, and for the incouragement of manufactories at home, and carrieing on our trade abroad with advantage, to lay on such prohibitiones, upon the branches of our import as may overballance our export and particularly that of France, And to aſsert our Affrican and Indian Companies right to their Collony of Caledonia, which hes been and ſtill is unjuſtly called in queſtion, and to give such support to it, as may incourage the adventurers to goe on with their undertakeing, which if vigorously pursued, may tend so much in the future to the wealth honour and interest of the Nation. And to relieve our Countrie of so great a number of Forces every way so uneaſie to the people And in liew therof to fall upon such other methods for securitie of the Peace, and support of the Government, as may be more for the interest of the Kingdome, and more conſiſtent with the libertie of the Subject.

	Wm Duff prowest.
Ro[t] Elphinſtone mer[d].	Jo[n] Barbour Bailie.
D. Roſs mer[d].	Jo. M[c]Kintoshe baillie.
Don. M[c]Cay wreter & mer[d].	Will. Duff dean of Gild.
D. Cumin mer[d].	Ja. Patersón Theſaurer.
A. Roſe late bayly.	Hew Robertson late prowest.
George M[c]Gilligin.	J. Grant on of the Counſell.
Alex[r] Roſe.	Alex[r] Fraser on of the Counſell.
Pa. Fouller mer[t].	Tho: Frafer one of the Counſell.
Jo. M[c]Ra merch[t].	John Cuthbert on of the Counſell.
Gillies M[c]Bean mer[t].	Alex[r] Steuart on of the Counsell.
Ja. Mackintoſh march[t].	Don: Grant one of the Counſell.
Will. Frafer mer[t].	Hugh Polsone on of the Conc[ll].
Jo. Frafer Marchante.	Tho: Kilgoure on of the Counſell.
Jo: Cuthbert ane of the Counſell.	Ja: Dunbar on of the Counſell.
Tho. Robertſon mer[d].	Ch: M[c]Lean Clk.
T. Lindsay mer[t].	Pa: Stuart mer[t].
David Hoome mer[d].	W[m] Paterson M[r]chand.
Jo. M[c]Wirril mer[d].	Jonathan Thomson merch[t].
W. M[c]Werrich mer[d].	Ja. Tayler mer[t].
W[m] Cuthbert merchant.	William Grant mer[t].
J. Waus Glover.	Ja. Couy mer[t].
Ja. Cuthbert march[t].	Donald Deass mer[t].
Ro[t] Roſe mer[d].	Ro[t] Monro mer[t].
Alex[r] M[c]Kay merch[t].	W[m] Neilsone mer[t].
John Henderson merch[t].	Ja. Cuthbert mer[t].
Alex[r] Fraser clk dep[t].	Joſ: Robertſone mer[t]
Ro[t] Cuming mer[t].	Ja: Dunbar mer[t].

9 Jan[r] 1701.
Preſented & read in Parliament.]

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[ADDRESS & Petition the Burgh of Craill.

TO his Grace the Duke of Queensberry his Mäties High Commiſſionar and the Right Honourable Eſtates of Parliament,

The humble Adreſs & Petitione of the Magiſtrats & Toune Counſell of the Burgh of Craill.

THAT since his Mäties happy acceſs to the Throne of this Kingdome and the ending of the late expensive Warr we expected the Preſbyterian Government of the Church as now by law eſtablished ſhould have been ſecured againſt all invaſiones and that our forraigne [trade, and manufactories at home should have bein incuradged by ꝑe export of our native] commodities by imploying the poor for improveing the natural product of the Cuntrey and in leſsneing the burden of the Natione.

But we cannot but regraitt the caice of the Church which although the[r be] many good & wholſome lawes for ſetleing the samen and ſtrengthneing the hands of the miniſters in the exerceiſe of the miniſtrie the ſamen lawes are not put in executione but popprie, impietie, and other immoralities doeth much abound.

And we are extreamly ſenſible of the decay of tread both at home & broad and that our harrings & fiſh are prohibited in many places espẽallie in the Kingdome of France, although the Government doeth allow all Frenſhe commodities to be imported & sold in this Natione, our manufactories at home and the poor are not imployed and encouradged as they ought to be and our Cuntray much drained of money through theſe ſeverall years ſcarſitie & keeping up of a ſtanding army in tyme of Peace which is burdenſome to the Natione.

And we cannot but be sorry for the great loſs and many diſcuradgements our Collony of Calledonia hath meet with through the inhumane wſadge of wnkynd neightbours and the meaſures that have been taken to ineffectuat the ſaid Collony after ſo vaſt a treaſure hes been expended in that expeditione in the ſlorishing wherof wer placed the hops of recovering much gain & advantage to the Natione:

May it therfor pleaſe yo[r] Grace and the Right Hono[ll] the Eſtates of Parliät to tak the premiſſ into yo[r] conſidera[c]one and to mak ſuch good & wholſome lawes as you in yo[r] profound wiſdome ſhall think fit for ſecureing of the Church againſt all invaſiones whatſomever for extirpating of poppry, impietie and other abounding immoralities for encuradgeing of tread at home & abroad by dischargeing the import of Frenſhe commodities wntill the prohibitione in France be taken aff our fiſh & harrings for imploying the poor in improveing the naturall product of this Kingdome for eaſeing the burdeing of ſo many Forces in tyme of Peace and for aſserting the juſt right to our Collony of Calledonia, And yo[r] Petitioners ſhall ever pray.

	George Moncrieffe.
John Lowrie.	W[m] Robertſone.
David Dudingſton.	Ro[t] Martin.
Georg Robertſon.	W. Crawfurd.
Androu Corſtorphen.	John Bethun.
John Paterſon.	Robert Dick.
Thomas Mercer.	John Beanes Coun.
James Mitchel.	James Mortone.
Geo. Diſchingtoune.	William Watſone C.

9 Jan[r] 1701.
Preſented & read in Parliament.]

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[ADDRESS the Inhabitants of Glasgow.

TO his Grace his Majesties high Commiſsioner and the Right Honourable the Estates of Parliament,

The Addreſs of the Inhabitants of the City of Glaſgow.

Sheweth,

THAT wheras we have petitioned John Andersone of Dowhill pres . . . . . Commiſsioner to this preſent Seſsione of Parliament for this City that he might . . . . . mynd to the Parliament, and haveing refused to doe the same, Therfor we . . . . . represent That wheras ther is nothing dearer to us then the frie exercise of . . . . . Religion which we now presently injoy, and nixt the support of our Trade,

which we find is sensibly incouradged, even by the beginnings of the trade to our Settlement of Calledonia, and except due incouradgement be given, as weell for the maintainance of our said Settlement (in which this City is deeply concern'd) as for carrying on our other forreigne trade with advantage and incouradgeing our manufactures at home, and of releiveing us of so great a number of standing Forces, wee will not be able to subsist in this place, under our present Taxes or Stents considering our extraordinary loſses dureing the late warr.

May it therfor please your Grace and the Right Honourable the Estates of Parliament to make such lawes as your wisdomes shall think fit, for the securitie of the Protestant Religion and maintaining the Presbeterian Church Government as it is now established by law, the incouradgement of piety and vertue, the suppreſsing of iniquity & vice and to aſsert our Companys right to our Collonie of Calledonia in which so great a pairt of our stock is imployed and to give such incouradgement to our manufactures at home that our poor ſo very numberous may be imployed, and to discharge or discouradge commerce with theſe Nationes that refuſe our herrings & others the product & manufacture of this Natione & to relive us of unneceſsary Stents & Taxes, And your Petitioners ſhall ever pray.

James Ker.
James Boyle.
Wal: Buchanan.
T. Robertſon.
James Briſbene.
William Caldwell.
Tho. Kennedy.
James Robison.
David Muir.
James Johnſon.
Robert Maxwell.
Alex[r] Woddrop.
Andrew Adam.
John Todd.
Charles Anderſon.
Alex[r] Tran.
Walter Peter.
Ja. Ballinie.
Stephen Rowand.
Robert Downcan.
Nicoll Enſllie.
Robert Alexander.
John Paterſone.
Ro[t]: Falconer.
Robert Foler.
Alex[r] Meben.
James Herbertsone.
Will: Gray.
John Maxwell.
John Stivenſon.
Robert Lambert.
Andrew Whyt.
Dauid Donald.
James Blaire.
John Black.
Ninian Gilhagie.
Androw M[c]Kines.
William Baxter.
William Norvell.
Jonathan Blackwell.
James Calder.
James Brown.
James Liwingstone.
Ro[t] Broom.

Daniel Campbell.
Ja. Grahame.
Will. Wooddrop.
James Bogill.
Andrew Cathcart.
Thomas Cuming
W[m] Fynniſon.
John Scott.
James Johnſtoune.
Matthew Mihiſon.
James Anderson.
Alexander Marshall.
William Dowglas.
James Muir.
David Hall.
Hugh Barcley wry[r] in Glaſgow.
John M[c]Kgilchriſt.
Andrew Atkin.
George Niwine.
William Crosse.
Patrick Bogle.
John Corſs.
George Robiſone.
Androw Scott.
William Johnſton.
John Stevenſon.
Walter Cobhame.
John Grahame.
Georg Glas.
Robrt Maſon.
Ro: Alexander.
Ro[t] Houſtoune.
Walter Leitch
Peter Corbett.
John Scott.
Edward Wales.
John Allan.
James Dallyrumpll.
John Clelland.
Alex[r] Campbell.
Lau: Grahame.
Hugh Campbell.
John Smith mer[t]
Tho: Brown.
John Willſon.

James Muirhead.
J. Smyth.
Georg Stirling.
Jo. Hamilton.
James Grahame.
Will. Robertson.
Lawrence Dinwiddie.
Archibald Edmondston.
Mich: Leckie.
Robert Brock.
John Robiſon.
William M[c]crey.
James Leckie.
Walter Buchanan.
John Young.
Jo. Thomſowne.
Georg Govane.
James Crafurd.
C. U.
John Peter jun[r].
Ro[t] Nairne.
John Birkmyre.
John Rae.
Thomas Baxter.
William Knox.
John Bowman.
Robert Downie.
William Bogle.
Hugh Tenant.
John Smelie.
John Clarke.
John Armour.
Willam Anderſon.
James Moriſon.
John Gardiner.
Allexander Park.
James Stewart.
John M[c]cwrr.
Jo: Stevenſone.
William Steuart.
William M[c]Lay.
William Smith.
James Pettigrow.
John Pettigrew.
Wiliam Simſon.
A. Cameron.
John Blackwod.
Johan Baxter.
Alexander Sawers.
A. Buchanan.
John M[c]lachlan.
James M[c]gilchriſt.
J. Kynnear.
John Wodrow.
John Leckie.
Nath. Love.
Allexander Gilmore.
John Gilhegie.
William Gillmore
William M[c]arttour.
Ja. Corbett.
R: O: Orrock his mark.
Jn[o] Magorman.
Tho: M[c]alla.
Willeam Watterſton.
John Aikine.
William Morton.
Georg Thomſone.
John Watterſton.

J. Thomſone.
Hendri Watsoun.
Mathew Campbell.
H. Wallace.
W. Stirling.
Andrew Adam.
William M[c]keowne.
Robert Twrmbwll.
Artheur Hamiltoun.
Thomas Bryſon.
Ja: Sheills.
Dauid Neill.
Thomas Cochren
Robert Allaſoune.
James . . . . .
Robert Wining.
James Mar.
John Scott.
George Robertsone.
Ja. Alexander.
John Storie.
John Anderſon.
John Gow.
Walter Bouie.
John Caſsie.
James Scot.
Thomas Allſtone.
John Crage.
John Banker.
James Boyd.
Hew Pourdown.
Arch: Stirling.
W[m] Crichton.
Allan Watt.
Georg Horn.
John Gillmowr.
John Drinnes.
William Watson.
John Broun.
Robert Donnald.
Willeam Scott.
Tho: Younge.
Gawn Lyll.
James Bontein.
John Robertſon.
Jo. Grahame.
Robert Bogle.
John Wallace.
W. Sempill.
Geo: Rae.
John Atchiſon.
James Weir.
Ja: Wetherſpon.
John Thomſon.
Robert Croſs.
John Stirling junior.
James Colhoun.
James Stewart.
Georg Yeats.
Walter Barton.
Robert Barton.
William Bryce.
John Robb.
Walter Bryce.
Jo: Patoun.
G. Buntine.
Willi m Luke.
James Luke.
Patrick Pirie.

James Crosse.
Jo: Purvyeance.
William Cochran.
Jo. Salkrig wryter in Glasgow.
Patrik Maxwell.
Alex^{r} Cairlile.
David Robb.
Thomas Pattoune.
William Rob.
James Blaier.
John Grahme.
John Wardane.
Robert Wilkeyſon.
James Jackſone.
John Anderſone.
Alex^{r} Wotherſpoon.
Wm Marshall.
Geo: Dainzell.
James Dowgall.
John Croſse junior.
A. Knox.
John Gibson.
John Boyd.
James Mowrdoch.
Alex. Thomson.
John Gibson yor.
William Park.
Alex^{r} Patrik.
Robert Knox.
William Willson.
Colline Thomsone.
John Foulles.
John Dowglaſs.
William Crawford.
Wm Bogle junior.
Thomas Peter.
Andrew Reid.
J. Craufurd.
Ja. Kelburn.
John Wyllie.
Andrew Scot.
John Provand.
Robert Corbett.
Alex^{r} Moore.
Robert Gordon.
William Chewese.
Edward Robiſon.
Claud Henderſon.
Wm Drew.
Petter Neaper.
William Clark.
John Robison.
John Donaldſoune.
Gilbert Buchanan.
Robert Tennoch.
William Benie.
George Locheid.
Will. Hanaw.
Walter Bwchanan.
William Leckie.
John Davidson.
John Gemal.
Ro: Thomson.
Jo. Moriſone.
John Curie.
Neill McNeill.
Georg Muir.
Willeam Wodrow.
Thomas Greinlees.
John Grindll.
Mathew Wilſon.
William Neilſon.
Alex^{r} Roſs.
William Kinced.
James Clark.
William Mitchell.
John Scott.
Robert Allene.
Jno Muir.
James Wodrow.
James Ronnald.
Robert Merſhell.
J. M. C.
Patrick Henderson.
James Waugh ſcolmaſter.
John Hervie.
James Allan.
John Craufurd.
Wm Drew.
John Black.
John Fogo.
Archbald Garner.
Heu Hamltoun.
William Wright.
Archbald Boyd.
Jo. Jackson.
John Polloke.
John Paterson.
Ja: Waddrope allies Ruchie.
Walter Gibſon.
Androw Hamiltoun.
Ro^{t} Broom.
David Bell.
James Gilmour.
William Wallace.
John Dempster.
James Muir.
James Marſhell.
Jam. Steuart.
William Goven.
James Aliſone.
Robert Wright.
Gav: Clark.
William McCleud.
Patrick Rankin.
John Allexander.
Robert Mitchell.
James Shaw.
Patrick Wrrie.
John Scot.
James Scot.
James Smith.
John Patersone.
James King.
Robert M^{c}ineie.
John Ellies.
John Giffine.
Robert Maxwell.
John Maider.
William Glaſſoord.
William Carr.
Robert Willson.
John Lang.
Georg Lockhart.
John Peadie.
Wm Thomson.
Edward Still.
John Peter ſinior
John Dick.
Cornelius Tod.
John Wilſon.
Thomas Makcally.
James Brisban.
John Doling.
William Black.
Samwell Croweth.
Dawid Wilson.
James Inglis.
John Bogle.
Dauid Corſs.
Michell Smith.
William M^{c}clorg.
John Gardiner.
William Whyt.
Robert Young.
James Pollock.
John Arthowr.
Androw Robertson.
Archbald Simpſone.
James Or.
Archbald Sympſone.
James Hodge.
James Wright.
John Tapp.
James Laufon.
John Scot.
Geo: Hufilut.
John Napeir.
Charles Stewart.
Ja. Crawfurd.
Ja. Wallace.
John Jameſon.
Thomas Wilkie.
Patrick Twrnor.
John Walker.
Aarchbald Yowng.
Patrick Wrie.
John Puntine.
Thomas Hill.
Matthow Wrie.
James Main.
Allexander Paterson.
James Loue.
Robert Watson.
William Lochhead.
John Bell.
William Smith.
Mathow Lieſhman.
Daniell Moriſon.
John Drew.
James Thomson.
Neill M^{c}vicar.
James Reid.
Hugh Stewart.
Robert Corſe.
Tho: Callder.
He. Marſhall.
Andrew Leitch.
Androw Somervell.
Gabrill Wilſone.
David Biſket.
Andrew Main.
George Craig.
John Craig.
James Craig.
John Gray.
Ja. Keir.
Robert Simpſon.
James Cwnighame.
Robert Tennant.
Walter Barton.
John Will.
John Barton.
Patrek Bliny.
James Drew.
William Mathie.
John Armour.
Georg Stirling.
John Cailimie.
Richart Cwlie.
William Scot.
Robert Baird.
Robert Muir.
Alex^{r} Porterfield.
Gaun Hebrun.
Hew Blair.
Robert Tood.
James Stirling.
Thomas Menteth.
John Heuie.
Patrick Stewart.
William Maxwell.
John King.
Patrick Cree.
P. Sympſone.
P. Fynnlyſoune.
Alex^{r} Robertſon.
John Bryce.
David Roub.
David Watson.
Alex^{r} Donalson.
George Thomsone.
George Wilson.
Androu Row.
Wm Dinning.
Allex. Leckie.
Thomas Pollock.

9 Jan^{r} 1701.
Preſented & read in Parlia^{t}.]

THE Lord Chancellor by order of his Majeſties High Commiſsioner adjurned the Parliament till to morrow at ten a clock.

MARCHMONT Cancellar. I. P. D. P.

Friday January 10, 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE conſideration of the affair of the Company of Scotland tradeing to Affrica and the Indies again reſumed and a propoſeall made that it be reſolved that the Votes and Proceedings of the Parliament of England and their Addreſs preſented to his Majeſtie in December 1695 in relation to an Act of this Parliament eſtabliſhing our Indian and Affrican Company and the Addreſs of the House of Lords preſented to his Maᵗⁱᵉ in February laſt were ane undue intermeddleing in the affairs of this Kingdom and an invaſion upon the Soveraignity and Independencie of our King and Parliament The Reſolve was read, Moved that the Addreſs from the Lords and Commons of the Parliament of England preſented in Deceʳ 1695 with their Votes and Proceedings paſt at that time And alſo the Addreſs of the Houſe of Lords preſented in February laſt be all read, and the ſame were accordingly read: Thereafter the forſaid reſolve being again read It was put to the vote Approve the same or not, and carried Approve nemine contradicente.

ANOTHER Reſolve propoſed in the terms following viz. Reſolved that the Memorial preſented in his Majeſties name as King of Great Britain to the Senate of Hamburgh the seventh day of Aprile 1697 by Sir Paul Ricault then reſident in that City and Mʳ Creſset his Majeſties Envoy extraordinary at the Court of Lunenburgh was moſt unwarrantable containing manifeſt falſehoods and contrary to the Law of Nations injurious to his Majeſtie an open encroachment upon the Soveraignity and Independency of this Croun and Kingdom, the occaſion of great loſses and diſappointments to the ſaid Company and of moſt dangerous conſequence to the trade of this Nation in all time comeing read, Moved that the said Memorial given in by the said Reſident and Envoy to the Senate of Hamburgh be likewayes read And the ſame was accordingly read And after reaſoning it was put to the vote Approve the ſaid Reſolve or not and carried Approve nemine contradicente.

ANOTHER Reſolve propoſed in theſe terms viz. Reſolved that the Proclamations emitted in the Engliſh Plantations in Aprile May June and September 1699 againſt our Indian and Affrican Company and Colony of Caledonia were and are injurious and prejudiciall to the right & liberties of the said Company and that the execution of theſe Proclamations againſt the adventurers sent out by the said Company was inhuman barbarous and contrary to the Law of Nations and a great occaſion of the loſs and ruine of our ſd Colony and Settlement of Caledonia, read, Moved that the Proclamations emitted by the reſpective Governours of the Engliſh Plantations in the Weſt Indies in the ſaid moneths of Aprile May June and September 1699 diſchargeing all correſpondence with any perſons fitted out from Scotland or to furniſh them any proviſion or neceſsaries whatſomever either in their own veſsells or any other ſhips for their use may be all read and the ſame read accordingly.

AND a Motion being made to add to the laſt part of the said Reſolve the words Proclamations and their Execution After reaſoning the Queſtion was stated Add the said words or not and Carried in the negative And the said Reſolve being again read It was put to the vote Approve the ſame or not and carried Approve nemine contradicente.

ANOTHER propoſall made for a Reſolve that whoever have adviſed his Majeſties anſwer to the Addreſs of the Parliament of England againſt our Indian and Affrican Company in the year 1695, or have adviſed or promoted the injuries done to this Nation by the Hamburgh Memorial and Proclamations in the Weſt Indies are enemies to this Kingdom and have done what in them lay to creat jealouſies and animoſities betwixt the two Kingdoms And if Subjects of this Kingdom are Traitors to the King and Countrey and when diſcovered ought to be proſecute accordingly read, And after ſome debate the Preſenter of the ſaid Reſolve craved leave to withdraw it which was allowed.

FURTHER propoſed that there be a Reſolve in the terms following viz. Reſolved that our Indian and Affrican Companies Colony of Caledonia in Darien in the Continent of America was a legall and rightfull Settlement preciſely in the terms of the Act of Parliament and Letters Patent eſtabliſhing the Company And that the Parliament will aſsiſt and support the ſaid Company in the lawfull proſecution of their right thereto as holding of the Croun of this Kingdom read, and the farder conſideration thereof adjourned.

ORDERED that the Committies meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday January 11, 1701.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

PROCESS the Earl of Annandale againſt the Laird of Lagg called; and the Proᵐˢ for both parties compearing, it was intimate to the Laird of Laggs Proᵐˢ to be ready to inſiſt on Saturday next in his proteſt for remede of law taken againſt the Earl with certification if he failzie that Decreet for not inſiſting will be then pronunced againſt him conform to the Earl's Summonds.

PROCESS Livetennant Collonell John Erſkine againſt the Counteſs of Kincairdine alſo called and the Proᵐˢ for both parties compearing, it was intimate to the Counteſs her Proᵐˢ to be ready to inſiſt on Saturday next in her proteſt for remede of law taken againſt the Livetennant Collonell his decreet of sale of the Eſtate of Kincairdine with certification if she failzie that decreet for not inſiſting will be then pronunced againſt her conform to the Livetennent Collonell's Summonds.

PROCESS Mʳ Alexander Higgins againſt John Callendar on a proteſt for remede of law called, and both parties compearing it was intimat that they be ready to debate the ſaid cauſe againſt Saturday next.

PROCESS Mʳ Robert Hepburn of Whiteburgh againſt George Suttie on a proteſt for remede of law called, and the Proᵐˢ for both parties compearing it was intimat that they be ready to debate the said cauſe againſt Saturday next.

MOVED that the Proceſs at the inſtance of the Earl of Argyll and Creditors of the late Marques of Argyll againſt the Duke of Gordon and the Earl of Aboyne for reduceing the late Marques of Argyll's forefaulture may be called Alſo moved that the Proceſs at the inſtance of the Laird of Pourie againſt the Lord Gray be likewayes called, and ſeveral other privat affairs being propoſed after reaſoning the vote was stated, Whither the Proceſs at the

inſtance of the Earl of Argyll and the Creditors of the ſaid Marques of Argyll ſhall be firſt called before all others or not, and Carried in the affirmative.

THEREAFTER the ſaid Proceſs being called, and the ſaid Earl of Argyll purſuer, and alſo the Duke of Gordon and the Earl of Aboyne Defenders compearing perſonally with their Pro^rs, there was a Declinator given in by the Defenders againſt ſeveral Members of Parliament which was read and after debate thereupon the Declinature was diſcuſsed and determined as in the Minuts of that Proces.

MOVED that the Kings Advocat be appointed to appear for the Defenders as Kings donators and the former deliverance of Parliament in relation to that matter and Act of Privy Councill allowing his Majeſties Advocat to appear in the ſaid Proceſs for which of the parties he thought fit, being both read, he did make his election and declared that he would appear for the purſuer of the Proceſs.

THEREAFTER moved by the purſuers that in regaird his Majeſties Advocat and Mr David Dalrymple were both Members of Parliament and could not appear as Advocats in the ſaid Proceſs without allowance of Parliament, that therefore the Parliament would allow them to appear for the purſuers in this Proceſs; After reaſoning it was agried that his Maties Advocat and Mr David Dalyrmple be allowed to appear for which of the ſaid parties they ſhall think fit, and they declared they would appear for the purſuers.

THE Committies appointed to meet on Munday next at nyne of the clock.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday January 13, 1701.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that Mr David Dalrymple Advocat a Member of Parliament be allowed to appear for John Callendar in the Proceſs purſued againſt him by Mr Alexander Higgins and agried that Mr David have allowanee to appear in that Proceſs for the ſaid John Callendar.

MOVED that the propoſal for an Reſolve aſserting the Company's right to their Colony of Caledonia mentioned in the Minuts of the tenth of January inſtant be again read, and the ſame was accordingly read.

ANOTHER Reſolve propoſed in theſe terms viz. Reſolved that our Indian and African Companies Colony in Caledonia in Darien in the Continent of America was a legal and rightfull Settlement conform to the Act of Parliament and Letters Patent eſtabliſhing the ſaid Company And that the Company in makeing and proſecuteing the ſaid Settlement acted warrantably by vertue of the ſaid Act of Parliament & Patent And that therefor this preſent Reſolve with the three other Reſolves voted and past in this Seſsion of Parliament for vindicating the Independency and Soveraignity of this Croun and Kingdom and aſserting the rights of the ſaid Company be laid by way of Addreſs from the Eſtates of Parliament before his Majeſty for removeing and preventing all encroachments upon the Independency and Soveraignity of this Croun and Kingdom and for aſsureing the ſaid Company of his Majeſties Royal Protection and obtaining the proper remedies for reparation of their loſses, read.

HIS Majeſties High Commiſsioner made a Speech to the Parliament upon the matter contained in the ſaid Reſolve.

MOVED that his Majeſties Letter to the Parliament presented the twenty nynth of October laſt be read and the same accordingly read; Alſo the Minuts of the tenth of January read: Moved that the forſaid Reſolve mentioned in the ſaid Minuts being first presented ought to be first under consideration, And it being alſo moved that the Reſolve above set doun as containing the substance of the former be rather considered; it was alleadged that the Reſolve now offered is complext conſiſting of several parts which ought to be specially conſidered; And after reaſoning the Reſolve following was proposed viz. Reſolved that our Indian and African Company's Colony of Caledonia in Darien in the Continent of America holding of the Croun of Scotland was and is legal and rightfull and that the Settlement was made conform to the Act of Parliament and Letters Patent eſtabliſhing the ſaid Company and that the Company in makeing and proſecuteing the ſaid Settlement acted warrantably by vertue of the ſaid Act of Parliament and Patent, Which Reſolve being read it was put to the vote Approve the same or not and carried Approve nemine contradicente.

THEREAFTER another propoſal of a Reſolve was preſented that the several inſults of the Spaniards upon our Indian and African Companie's Colony of Caledonia, their seizeing and confiſcating the ſaid Companys ſhip the Dolphin and cargoe forced to run a shoar at Carthagena to escape ſhipwrack, their barbarous uſeage of our men who were aboard of the ſaid ship, and condemning of the most conſiderable of them to dye as Pirats, and the invadeing and diſpoſseſsing our Colony of Caledonia were acts of open hoſtility contrairy to the Law of Nations, and to the expreſs Treaties betwixt the Crouns of Great Britain and Spain, And that satisfaction ought to be demanded for the ſame; which Reſolve being read was offered to the conſideration of the Parliament.

MOVED that before this or any other new Reſolve can be entered upon the second part of the firſt mentioned Reſolve given in this day ought to be considered and determined; and a debate ariſeing whither firſt to receive in the ſaid new propoſall in relation to the affair of Caledonia, or to conſider what is to be done anent the Reſolves already paſt; After reaſoning the Queſtion was stated Whither to proceed first to hear what further grivеances in the affair of Caledonia the Parliament hath not given their sentence upon or to consider what is to be done on the four Reſolves already voted, It carried to Proceed first to consider what is to be done on the four Reſolves already voted.

THE Committies ordained to meet to morrow at nyne of the clock in the uſual places.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday 14 January 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that his Majeſties Advocat and Mr David Dalrymple both Members of Parliament be allowed to appear and plead for the Earl of Annandale in the Proces depending at his inſtance againſt the Laird of Lagg before the Parliament and agried that his Majeſties Advocat and Mr David Dalrymple have allowance to plead for the Earl of Annandale in the said cauſe.

OVERTURE for an Act declareing that the Company's Colony in Darien was a legall and rightfull Settlement preciſely in the terms of the Act of Parliament and that his Majeſtie and Eſtates of Parliament will aſsiſt and support the said Company in the lawfull proſecution of their rights thereto and protect them in the full and free enjoyment thereof, read.

A DECLARATION by Captain Robert Pinkartoun & James Graham who were priſoners at Carthagena and thereafter brought to Old Spain taken upon interrogators put to them by a Committie of the Directors of the Indian and African Company produced and moved to be read, and the ſame read accordingly; and upon a motion made by his Majeſties Advocat the ſame was ordered to lye on the table.

MOVED that the conſideration of the second part of the Reſolve firſt preſented yeſterday may be again reſumed and that the Parliament proceed to addreſs his Majeſtie upon the Reſolve aſserting the Company's right to their said Colony And an debate ariſeing whither an Addreſs or an Act be moſt proper in the preſent circumſtances for secureing the Companies Right and Settlement and the actings of the perſons concerned in the proſecution thereof: After reaſoning thereupon the vote was stated Whither an Addreſs should be made upon the Reſolve aſserting the Company's Right to their Colony of Caledonia in Darien, or an Act of Parliament aſserting their said right and Carried to Addreſs upon the said Reſolve one hundred and eight, to eighty four.

BEFORE calling of the Rolls upon the ſaid vote severall Members of Parliament deſired that their voteing for the Act and diſsenting from the Addreſs might be marked And the Duke of Hamilton took inſtruments thereupon for the reaſons read by him in his place, and the said eighty four who voted for the Act were accordingly marked as diſsenting and their names ordered to remain in the Records of Parliament.

THE Committies appointed to meet to morrow at nyne of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Wedneſday January 15, 1701.

PRAYERS ſaid Rolls called.

THE Minuts of the laſt Sederunt being read there was ane amendment offered therto; and a debeat therupon arriſeing the farder conſideration therof was delayed till the nixt dyet of Parliament.

THE Committies appoynted to meit to morrow at nyne a clock in the morning.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjurned the Parliament till to morrow at ten a clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday January 16, 1701.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the Minuts of the fourteenth day of January inſtant be again read in order to be adjuſted, and the ſame being read, after ſome amendments made they were agried to.

MOVED that the names of thoſe who did vote for the Addreſs mentioned in the said Minuts be recorded in the books of Parliament, and the same ordered accordingly; and the Lord Chancellor moved that albeit he had no opportunity to vote for the said Addreſs yet he deſired that his name might be recorded with the hundred and eight who voted thereto, and the ſame agried to.

OVERTURE for an Act for appointing Reſidents and Conſulls in such places as are moſt proper for the trade of this Nation, read, and ordered to lye upon the table.

MOVED that the Reſolves paſt in Parliament the tenth of January inſtant in relation to the Addreſses votes and proceedings of the Parliament of England, and to the Hamburgh Memorial and Proclamations emitted in the Weſt Indies anent the affair of Caledonia be read, and the ſame were accordingly read.

MOVED that the matter contained in the forſaids three Reſolves paſt in Parliament the ſaid tenth day of January inſtant be laid before his Majeſtie by way of Addreſs wch was agried to; and an debate ariſeing whither the Addreſs upon the said three firſt Reſolves ſhall be seperat from the Addreſs upon the fourth Reſolve already voted, After reaſoning the Queſtion was stated Seperat or not and Carried in the negative.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of his Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday January 17, 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Draught of an Addreſs from the Eſtates of Parliament to his Majeſtie upon the matter contained in the four Reſolves paſt in Parliament on the tenth and thirteenth dayes of January inſtant relateing to the Indian and African Company's rights & priviledges therein mentioned, read, and thereafter read in paragraphs, and after ſome amendments made the vote was stated Approve the Addreſs or not It carried Approve, one hundred and one, to sixty one.

BEFORE calling the Rolls on the said vote the Duke of Hamilton and Marques of Tweeddale did declare that they adhered to

their former diſsent marked in the Minuts of the fourteenth of January inſtant, and of new diſsented from this Addreſs, and thereupon took inſtruments; and they two, with fifty two other Members of Parliament of the said number of sixty one formerly mentioned defired their diſsents to be marked, and the ſame ordered to be marked accordingly to remain in the Records of Parliament.

OVERTURE for an Act that all the temporary priviledges and immunities granted to the Company of this Kingdom tradeing to Africa and the Indies by the eight Act of the fifth Seſsion of this Parliament be continued to the said Company for the space therein mentioned after expireing of the times allowed to them by the said Act, read for the firſt time.

MOVED that a Clauſe be added to the said Act and Overture for ratifieing the said former Act and Letters Patent, and the said clauſe alſo read.

DRAUGHT of an Act from the Committie of Trade for encouragement of manufactories read for the first time.

DRAUGHT of an Act from the Committie of Minuts for makeing up the tenor of certain writs burnt at the late fire belonging to Sr David Home of Crocerig, read for the firſt time.

PETITION Mr James Daes of Coldinknows craveing warrand to cite the Officers of State.Lords of Theſaury and others to compear before the Parliament to the effect thetein mentioned, read, and the consideration thereof delayed till the next dyet of Parliament.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at twelve of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday January 18, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read

MOVED that Mr David Dalrymple Advocat a Member of Parliament be allowed to appear and plead for the Earle of Mortoun in the proceſs depending at his inſtance befor the Parliament againſt the Officers of State and Mr David allowed to plead for the Earle in the ſaid cauſe And on a motion made the forſaid cauſe at the Earle of Mortouns inſtance ordered to be called and heard on Saturday nixt.

MOVED that the Petition formerly given in by Sr William Craigie of Gairſey be read, Alſo moved that the matter contained in this Petition relaiting to the Kings Revenue does properly lye and depend before the Exchequer, And after debeat the Lord Chancellor by order of his Māties high Commiſsioner declaired that befor the Parliament ſhould riſe and how ſoon the publict affairs were over ane Exchequer ſhould be appoynted to meit in order to diſcuſs the ſaid cauſe.

MOVED that the proceſs at the inſtance of the Earle of Argyll and creditors of the lait Marquiſs of Argyll againſt the Duke of Gordon and Earle of Aboyne and alſe the proceſs at the Laird of Innes inſtance againſt the Duke of Gordon be called and the ſaids two proceſses being called the pairties compeiring perſonally with ther proſs the Earle of Aboyne alleadged that he had not ſein the Earle of Argylls proceſs albeit he had required the ſame by inſtrument which was produced and read and after debeat the dillator wes repelled.

MOVED that seing his Māties Advocat and Mr David Dalrymple Sr Patrick Home, Sr Gilbert Elliot, Mr David Cuninghame, Mr David Forbeſs, Mr Francis Grant, Mr William Calderwood and Mr George Alexander Advocats imployed by the purſuers will have occaſion in this proceſs of Reduction to plead againſt the crymes of treaſone lybelled againſt the lait Marquiſs of Argyll That therfor they be allowed to plead ther saids reaſones of Reduction againſt the crymes lybelled without hazard of being heirafter quarrelled for the ſame & they were allowed accordingly.

THEREFTER the Duke of Gordon gave in ane other declinator againſt ſome Members of Parliament which wes read and determined as in the Minuts of that proceſs and the proſs for the purſuers haveing inſiſted in ther proceſs they did repeat the lybell and reaſones of Reduction and alſe repeated the ſame reaſones of Reduction as to the proceſs at the inſtance of the Laird of Innes younger againſt the Duke of Gordon and the defenders procurators haveing proponed ſeaverall dillatory defenſes and a debeat theron arriſeing in manner mentioned in the Minuts of proceſs; Saturday nixt wes appoynted for advyſeing the said dillatory defenſes and both pairties ordained to delyver ther informations on Fryday nixt.

MOVED that the cauſe at the inſtance of the Laird of Powrie be called and agreed that the ſaid cauſe be called and heared on Saturday nixt perenptorie.

PROCESS at the inſtance of the Earle of Annandaill againſt the Laird of Lag called and the purſuer compeiring perſonally with his procurators and the procurators for the defender alſo compeiring it wes alleadged for Lag that he wes out of the Kingdome the tyme of the citation, and not cited on sixty days, Anſwered that the dillator wes not verefied nor wes Lag out of the Kingdome animo remanendi and inſtruments being takine by the purſuer on the appeirance made for Lag as in the Minuts of that proceſs decreit wes craved &c. and the vote being staited Decerne at the Earle of Annandailles inſtance againſt the Laird of Lag conforme to the concluſion of the Earles summonds yea or nay and Carried in the affirmative.

PROCESS at the inſtance of Leivtennent Coll Erſkine againſt the Counteſs of Kinkardine called and the purſuer compeiring perſonally with his procurators and the defendar compeiring by her procurators the cauſe at the purſuers inſtance in relation to the proteſt for remead of law takine by the Counteſs againſt the decreit of Seall of the Eſtate of Kinkardine obtained at Leutennent Coll Erſkines inſtance wes debeat conforme to the Minuts of that proceſs and Saturday nixt appoynted for advyſeing therof and both pairties appoynted to delyver ther Informations on Fryday nixt.

MOVED that the Reports from the Committy of Elections upon the petitions given in by William Gordon of Ballcomy William Patton of Panholls and Thomas Robertſone be read and agried that the ſame be read the nixt day that the Parliament proceids to privat affairs.

THE Committies appoynted to meit on Munday nixt at nyne a clock in the morning.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjurned the Parliament till Munday next at ten a clock.

MARCHMONT Cancellar. I. P. D. P.

Munday Januarry 20, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

MOVED that the Committie for the Minuts bring in a Report anent what was remitted to them for diſtinguiſhing of what crymes are capitall and what crymes do inferr the pain of treaſon and ordered that the ſaid Committee do meet to morrow morning in order to prepare and bring in the ſaid Report.

PETITION the Prin[ll] and Maſters of the Marifchall Colledge of Aberdeen craveing ſupplies for repairing and upholding their fabrick out of the fonds mentioned in the ſaid petition read, and the conſideration therof delayed till Saturday next.

. . . . . .

[TO his Grace his Ma[tie] high Comm[r] and the Right Honourable the Eſtates of Parlia[t],

The Petitione of the Prin[ll] and Maſters of the Marishall Colledge of Aberdeen.

Humbly Sheweth,

THAT where the petitioners haveing repreſented to this Parlia[t] that they in conſidera[on] that p[r] Colledge wes exceedingly decayed had adventured to erect & joyn a new building p[r]to w[t]out any op[r] fond but the charitable aſsiſtance of noblemen, gentlemen and op[rs] both at home and abroad and the contributione being expended and the work uncompleat; it pleaſed his Ma[tie] high Commiſsioner and Honourable Eſtates of Parlia[t], to allow the petitioners the vacant ſtipends of Churches wherof the E: Mariſhall and E: Kintoir wer patrons, But the Act wes reſtricted only to endure till this Seſsione of Parlia[t] And ſeing few of theſe Churches have vaicked and the ſtipend of theſe that are vaccant being near exhausted, be the 20 M. to ſuch as preach at the ſea[ll] paroch churches, our new building lyes ſtill uncompleat and it will take a conſiderable ſoum to finiſh the s[d] work And it being his Ma[tie] and Royall Predeceſsors p[r] conſtant care to provyde for Univerſities and Colledges, and to allow them ſupplies for repairing & upholding p[r] fabricks the petitioners have preſumed to make this new Addreſs to his Grace & Honorable Eſtates of Parlia[t] humbly craveing p[t] not only the former Act allowing the petitioners the vaccant ſtipends of the Churches of Foveran Newdeer S[t] Bridges alias Dunnottar Fetteresso Olddeer Auchridie Langside Peterhead S[t] Fergus King Edward and any op[r] whereof the E. of Marishall & E. of Kintore are undoubted patrons may be continowed for ſuch a competent tyme as his Grace & Estates of Parlia[t] ſhall think fit but alſo in conſidera[on] of pe neceſsity that the old fabrick lyes under to be repaired and the new work to be compleated, your Grace & Honorable Estates of Parlia[t] would be pleaſed to allow the petitioners ſome part of the biſhops rents or ſome more certain & ſure fond p[n] the casuall vaccant ſtipends for the uſe & end forf[d] or at leaſt allow your petitioners to ſupplie the Churches dureing the vaccancy with Presbiterian Min[rs] qualityed by law who perhaps for the benefite of our decayed fabricks may diſpence w[t] the 20 M. due of the vaccant ſtipends, And your petitioner ſhall ever pray. Sic sub[r].

W[m] Black.]

. . . . . .

DRAUGHT of the Act that all the temporary priviledges & liberties granted to the Company of this Kingdom tradeing to Africa and the Indies by the eight Act fifth Seſsion of this Parliament be continued to the ſaid Company for the ſpace of nyne years after expireing of the times allowed them by the ſaid Act, and ratificing the ſaid former Act and Letters Patent again read; And after ſome amendments made, It was put to pe vote Approve the Act, or not; and carried Approve.

MOVED that ſince the affair of the Indian and African Company is now much over, that the matter of the Security of the Kingdome and Forces be taken to conſideration, Alſo moved that the affairs of the ſaid Company are not yet fully over the Reſolve offered in Parliament the thirteenth of January inſtant anent the inſults of the Spaniards and their invadeing our Colony of Caledonia not being yet conſidered After debate two states of a vote were propoſed The firſt Whither the matter of the ſaid Reſolve offered be not ſufficiently conſidered in the Addreſs already paſt yea or nay, The ſecond Approve of the Reſolve offered yea or nay; The Queſtion was put Whither the firſt or ſecond ſhould be the ſtate of the vote, and Carried the Firſt, Thereafter the vote was ſtated Whither the matter of the Reſolve offered be not ſufficiently conſidered in the Addreſs yea or nay, and Carried in the affirmative.

THEREAFTER a Reſolve propoſed in theſe terms, that M[r] Creſsit his Majeſties Envoy Extraordinary at the Court of Lunenburgh in giveing in a Memorial to the Senate of Hamburgh the ſeventh of Aprile I[m] vj[c]. and nynety ſeven years invadeing the Soveraignity and Independency of our King & Parliament and M[r] Vernon one of the Engliſh Secretarys of State in ſending orders to the reſpective Governours of the Engliſh Plantations for emitting Proclamations in the year 1699 so injurious and prejudicial to our Indian and African Company and Colony of Caledonia and contrary to the Law of Nations are Incendiaries and did what in them lay to create jealouſies and animoſities betwixt the two Nations read, And after reaſoning thereupon, a vote was propoſed Proceed to the furder conſideration of this Reſolve yea or nay: Propoſed by others that the state of the vote be Approve of the Reſolve or Reject, And the Queſtion being put Whither the firſt or ſecond propoſall ſhould be the ſtate of the vote It carried the firſt; Thereafter the Queſtion was put Proceed to the furder conſideration of this Reſolve, or no, and Carried in the negative.

MOVED that the Parliament may now proceed to conſider the state and security of the Kingdome, and the Forces; Alſo moved that by the Reſolve of Parliament the affairs of the Indian & Affrican Company muſt be firſt over and the reparation of the loſs and damnages which is the prin[ll] part of their Petition has not yet been under conſideration And the ſaid Petition deſired to be read After reaſoning anent the ſaid two motions The farder conſideration thereof was delayed till the next dyet of Parliament.

MOVED that the caice betwixt Laurence Pour and Thomas Henderſon anent which there are bill and anſwers lying before the Parliament may be remitted to be determined by the Lords of Seſsion as is deſired by both parties, And ordered that the ſaid cauſe be accordingly remitted.

THE Committies appointed to meet to morrow at nyne of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tuesday January 21, 1701.

PRAYERS faid Rolls called.

MINUTS of the laſt Sederunt read.

OVERTURE for an Act brought in from the Committie of Minuts for diſtinguiſhing what crymes are capitall and what not read, and ordered to lye upon the table: And the said Committie appointed to bring in a Report with all diligence of what was farder remitted to them for defineing the crymes that do inferr treaſon and clearing the laws thereanent.

A RESOLVE propoſed in theſe terms that in regaird of the great and never to be forgot deliverance it pleaſed God to give this Kingdom by his Majeſtie, and that our ſafety and happineſs depends under God upon the preſervation of his perſon and security of his Government we will ſtand by and support his Matie and his Government to the outmoſt of our power and maintain ſuch Forces as ſhall be neceſsary for theſe ends Which Reſolve was read.

HIS Majeſties High Commiſsioner made a Speech to the Parliat upon the matter and to the effect mentioned in the said Reſolve.

MOVED that the forſaid Reſolve be taken to conſideration by the Parliament and that they preſently proceed thereto.

OVERTURE propoſed in behalf of the Company of Scotland tradeing to Affrica and the Indies that they ſhall have the Rents of the Biſhopricks not already disposed of to Colledges and pious uſes, and the Rents of the Poſt Office with the tunnage and pondage for the ſpace of twenty one years for makeing up of their loſses pro tanto; which Overture was read and ordered to lye upon the table.

A RESOLVE alſo propoſed in theſe terms that all thoſe of the Colony of Caledonia who either unwarrantably deſerted or baſely betrayed and ſurrendered the Settlement and delivered up the Indians our alleyes to the Spaniards are guilty of high crymes and ought to be proſecute for the ſame as ſoon as they can be apprehended And that ſuch worthy perſons as behaved honourably & faithfully upon that undertakeing and particularly the perſons therein named be rewarded for the encouragement of others to ſerve the intereſt of their Countrey faithfully in time to come, read, and ordered to ly upon the table.

MOVED again that the Reſolve firſt abovementioned for supporting of his Majeſtie and his Government be taken to conſideration And after reaſoning a vote propoſed Approve the Reſolve or not, Moved by others that the vote be Approve or Amend the Reſolve, It was put to the queſtion whither the firſt or ſecond propoſall shall be the ſtate of the vote and it Carried the firſt Thereafter the vote was ſtated Approve the Reſolve or not, and carried Approve.

MOVED that the Parliament do now proceed to conſider what troups will be neceſsary for security of the Kingdom, and the ſonds proper for their maintainence Moved alſo that firſt the arrears due to the diſbanded Officers both before and ſince the year 1693 And alſo the accompts of the ſonds given for the uſe of the Army ſince the Revolution and how the same has been disposed on, may be laid on the table, And that the severall eſtabliſhments of the Army, and particularly the eſtabliſhment produced before the Parliament in the year 1698 with the preſent eſtabliſhment be alſo laid before the Parliament in order to be conſidered by them, and after reaſoning the conſideration of the ſaid several propoſals and the method and order for bringing in the ſame to the Parliament was delayed till the next Sederunt.

OVERTURE for an Act for security of the Kingdom in caſe of the deceiſs of his preſent Majeſtie and of his heirs and succeſsors, And for reſcinding the Act of Succeſsion in the year 1681, read, and ordered to lye on the table.

THE Committies appointed to meet to morrow at nine of the clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Wednesday January 22, 1701.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

DRAUGHT of an Act for security of the Kingdom in caſe of the deceiſs of his preſent Majeſtie and of his heirs and succeſſors and reſcinding the Act of Succeſsion in the year 1681, read for the firſt time.

.....

[DRAUGHT of ane Act anent Securitie of the Kingdome.

OUR Soveraigne Lord considering that by the 17 Act of the sixth Seſſion of this current Parliament no Commiſsion civil or military or any Court whatsomever shall cease or become void by his death or the death of any of his aires and succeſsors but that the samine shall continue in full force and effect for the space of six moneths after the foresaid deaths unleſs in the mean tyme the samine may be stoped or recalled by the nixt immediat succeſsor to whom the imperiall Croun of the Realme shall deſcend according to the Declaration of the Eſtates of this Kingdome dated the 11 day of Aprile 1689 containing the claime of right and setling the Succeſsion And ſeing the continuing of military Commiſsions independent upon the civil State and Government may be of dangerous conſequence to the libertie and propertie of the Nation Therfore his Majeſtie with advice and conſent of the Estates of Parliament statuts and ordaines that immediatlie upon notiſe of his Majeſties death or of the death of any of his aires or succeſsors all military Commiſsions ſhall become void and null and that all Souldiours as well commiſsionat as not commiſsionat shall stay and remain in ane peacable mainer in the reſpective places they shall hapen to be for the tyme quartered or ingariſhoned in ay and whill they shall receive ordours from the Eſtates of Parliament and that under the pain of high treaſon if they shall contraveen And furder his Majeſtie with advice and conſent foreſaid ſtrictlie commands and requires that upon the deaths foresaid the Lord Chancellor for the tyme if in Edinburgh or in any other place of the Kingdome where the ſeat of the Judicatories are for the tyme or in his abſence so many Lords of the Privie Councell as ſhall happen to be upon the place foresaid for the tyme shall conveen and by Proclamation give intimation of the foresaid death and fix ane certan day within the tyme prefixed by the foresaid Act for the Parliament to meet and to require and command the Forces to keep within their reſpective quarters and garishons And it is hereby expreſslie provided and declaired that in cace of ane actwall invaſion or inteſtine rebellion that then and in that cace the Privie Councell may draw togither what Forces ſhall hapen to be ſtanding for the tyme and diſpoſe of them for

the ſecuritie of the Goverment untill the meating of the Parliament And furder his Majeſtie with advice and conſent foreſaid doth reſcind the 2d Act of the 3d Parliamt of King Chairles the Second entituled the Act anent Succeſsion And hereby inacts and declaires that none of his aires and ſucceſsors ſhall or can enter upon the exercife of the Goverment untill they ſhall suear the oath required and contained in the 8th Act Parlt 1st King James the Sixth in plain Parliament or in preſence of ſuch as ſhall be nominate be the then ſitting Parliament to adminiſter the samine to them And furder his Majeſtie with advice and conſent foreſaid ratefies and confirmes the foreſaid 17 Act Sixth Seſsion of the current Parliament in all the heads and clauſes thereof except in ſo far as it is innovate or altered by this preſent Act.

21 January 1701.

Read in Parliāt and Ordered to ly on the table.

22 Janr 1701.

Againe read in Parliāt and Ordered a firſt reading to be marked p'on.]

.....

OVERTURE for ane Act for continueing a certain number of Forces and allowing the ſupplies therein mentioned for their maintainence dureing the space contained in the ſaid Overture, read.

MOVED that the accounts of the arrears due to the Army and how the fonds given for that uſe ſince the Revolution has been diſpoſed of, and the ſeverall eſtabliſhments of the Forces be all laid before the Parliament, And ordered that the Clerk of Theſaury do produce the accompts of the ſaid fonds and eſtabliſhments in order to be conſidered by the members of Parliamt.

MOVED that the number of standing Forces to be continued both Officers and sentinells be specially condeſcended on; Alſo moved that the modleing of the Forces be left to his Matie provideing their pay do not exceed the fonds to be now given by the Parliament, And after reaſoning the further conſideration of the ſaid motions adjourned till the next dyet of Parliament to be then firſt conſidered.

DRAUGHT of an Act diſchargeing the Quoats of Teſtaments since the year 1689, And declareing all Bonds granted for the same to be null, read for the firſt time.

ORDERED that the Committies do meet to morrow at nine of the Clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thursday January 23, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

MOVED that the Accounts of the fonds and eſtabliſhments formerly mentioned be laid on the table, And accordingly the Inventory of the Books of the ſaid accounts and eſtabliſhments were given in and the Clerk of the Theſaury ordered to attend in the Theſaury roum and make patent the ſaid accounts with the inſtructions and eſtabliſhments to all members of Parliament who deſires to ſee the ſame.

.....

[Janry 22d 1701.

INVENTARY of Accompts of the Funds for the Forces, ſince March 1689, layed before the Parliament viz.

1. Impr. Sir James Oſwalds particular Accompt from 27 March 1689 to June 1690.
2. Item his generall Accompt thereof ſitted 15th of Febry 1699.
3. Item Sir James Oſwald & James Dunlop their Accots from 1st June 1690 to Febry 1691.
4. Item their particular Accompt thereof, ſitted 15th Febry 1699.
5. Item Sir George Hamilton & Sir Robert Anſtruther of Wrae their Accompts, from 1st Febry 1691 to Febry 1692.
6. Item their Accompts from 1st Febry 1692 to the first of May 1693.
7. Item Sir Alexr Bruce of Broomhalls Accompts from 1st May 1693 to Octor 1695.
8. Item Sir James Oſwald & James Dunlops Accompts from 1st Octor 1695 to May 1697.
9. Item Sir George Hamiltons Accompts from 1st of May 1697 to 1st May 1699.
10. Item Eſtabliſhment for the pay of the Forces, dated 30th Novemr 1697.
11. Item another Eſtabliſhment dated 1st May 1699.]

.....

OVERTURE for an Act brought in from the Committie of Minuts concerning the crime of treaſon, and clearing the old laws thereanent read, and ordered to ly upon the table And aggried that the ſame be again read the firſt Sederunt of the next week.

OVERTURE for an Act for renueing the Commiſsion of Juſticiary in the Highlands, and for better preſerveing the Peace thereof read, and ordered to ly upon the table.

OVERTURE for an Act that without conſent of Parliament no Forces be keept up in time of Peace but ſuch as may be maintained on the annexed Excife and other property belonging to the King without burdening the Kingdom with Ceſs or Land tax, read.

THE consideration of the Overture formerly given in anent the ſtanding Forces with the debate ariſeing thereon again reſumed: It was propoſed that three thouſand men of the ſtanding Forces conform to the preſent eſtabliſhment be continued, And another Overture propoſed for keeping up two thouſand men or p'by conform to a draught of an eſtabliſhment given in and read; After debate aggried that the queſtion be firſt put as to the number of the ſaid Forces, And the vote being ſtated whither the number of the Forces to be continued ſhall be two thouſand & two hundred men or three thouſand men, It carried three thouſand men, One hundred and eight voters to Ninety four.

.....

[RESOLVE anent pe Army read in Parliāt.

RESOLVED that the Parliament will conſent that the number of Forces particularly after mention'd be kept on foot from the first of December 1700 to the first of December 1701, viz. A Troop of Guards conſiſting of ninty ſix Officers and centinels included, one Regiment of Dragoons conſiſting of 228 Officers and centinels included, one Regiment of Foot Guards conſiſting of 803 Officers and centinels included, one Regiment of Foot for Fort William conſiſting of 594 Officers and centinels included, two independent Companies conſiſting of 120 Officers and cen-

tinels included, that the Castle of Edinr have for Garrison 105 Officers and centinels included, that the Castle of Stirling have for Garrison 96 Officers and centinels included, that the Castle of Dumbarton have for Garrison 59 Officers and centinels included, that the Artillery Company consist of 24 Officers and centinels included: And that the said Forces amounting in the whole to the number of 1925 men be all natives of this Kingdom, and kept precisely according to the annexed establishment as to the respective numbers of Regiments, Troops, Companies, Officers and Souldiers therein mention'd.

23 Janr 1701.
Presented by Duke of Hamilton.]

.....

[Abstract of an Establishment for the Forces proposed to be established and kept on foot, with the advice and consent of Parliament.

	Troops and Company.	Commiss. Officers.	Non Commiss. Officers.	Private Men.	Total Number.	Pay per Diem.	Pay per Annum at 356 days.
Troop of Guards,	1	10	10	76	96	18 16 0	6316 16 0
Regiment of Dragoons,	6	18	24	186	228	23 07 0	7845 12 0
Regiment of Foot Guards,	16	50	71	672	803	36 04 6	12171 12 0
Regiment of Foot for Fort William,	8	28	38	328	394	19 05 0	6470 00 0
Independant Companies for the Highlands,	2	6	10	104	120	4 16 0	1612 6 0
Castle of Edinburgh,	1	8	8	89	105	4 17 8½	1641 5 0
Castle of Stirling,	1	4	7	85	96	3 14 0	1243 4 0
Dumbarton,	1	3	4	52	59	2 7 0	789 12 0
Artillery Company,	1	2	1	21	24	2 1 3	693 0 0
	37	129	173	1613	1925	115 8 5¼	38783 7 0
Of incident Charges to Fort William,	-	-	-	-	-	-	406 0 0
For Coal to the Castles,	-	-	-	-	-	-	75 0 0
To the Master of the Ordnance and others,	-	-	-	-	-	-	654 0 0
							39918 7 0

23 Janr 1701.
Read in Pariat. Presented by D. Hamilton.]

.....

THE Committies appointed to meet to morrow morning at nyne of the clock.

THE Lord Chancellour by order of his Maties high Commissioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT [illegible] I. P. D. P.

Friday January 24, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

OVERTURE for an Act anent the makeing of Peace and War read.

THE consideration of the matter of the Forces again resumed, and the Draught of an Establishment extending to the number of Two thousand nine hundred and ninety five men produced and read And another Draught of an Establishment extending to three thousand men also given in and read.

.....

["The Establishment of Forces to be kept on foot with consent of Parliament.

	Troops & Company.	Total Number of Men.	Pay per Annum.
Troop of Guards with Officers and others, - -	1	96	6316 0 0
Royall Regment of Dragoones with Officers &c. - -	8	384	11376 4 0
Ane other Regment of Dragoones with Officers &c. - -	6	288	9189 12 0
A Regment of Foot Guards with Officers, - -	16	903	13515 12 0
A Regment of Foot for Fort William with Officers, - -	12	730	10233 4 0
Independent Companyes with Officers and others, - -	2	220	2452 6 0
Edinburgh Castle with Officers, - - -	1	130	1787 0 0
Stirling Castle with Officers & others, - - -	1	106	1327 4 0
Dumbarton Castle with Officers and others, - -	1	69	873 12 0
Artillery Company with Officers, - - -	1	24	693 0 0
	3000		58163 19 0

24 Janr 1701.
Given in be Duke Hamilton read in Pariat.]

.....

MOVED that the quota and sum of the establishment first produced be taken into consideration and that the Estates of Parliament may aggree to the same, Also moved that the establishment produced in Parliament in the year 1698 to which the Act of Supply then made does relate be first considered and that the two establishments now offered do ly on the table till another dyet of Parliament; After debate the question was stated Proceed or Delay, and carried Proceed.

THEREAFTER moved that the said establishments offered be remitted to a Committie, Also moved that the quota and fonds for maintaining the number of the Forces already voted be remitted; After debate aggried that it be remitted to the Committie for Security of the Kingdom to consider the two establishments produced and the quota and fonds for maintaining of the three thousand men voted and to bring in an Act thereupon the first

Sederunt next week to be proceeded upon in Parliament preferable to all other buſineſs.

THE Committies appointed to meet to morrow at nine of the clock before noon.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at twelve of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday January 25, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

PETITION Patrick Murray of Pennyland and other Heretors of the Shire of Caithneſs craveing a revaluation of the lands lying within ꝑe said Shire read; And the deſire thereof granted, And aggried that the valuators names be adjuſted by the Earl of Breadalbain and the Commiſsioner to the Parliament for the said Shire of Caithneſs at the ſight of the Lord Chancellor.

REPORT from the Committie of Elections on the Petition given in by William Gordon of Balcomie againſt Sir William Hope, read; And after debate the queſtion was stated Grant warrand to cite Sir Wm Hope in the terms of the Report, or Remit the matter therin contained to be cognoſced and determined by the Judge Ordinar, and carried Remit.

PROCESSES the Earl of Argyll and Laird of Innes &c. againſt the Duke of Gordon and Earl of Aboyne called, And upon offers made by the parties hinc inde the members of Parliam^{t} after named viz. the Earl Mariſchall, the Earl of Annandale, the Viſcount of Seafield Lord Secretary Sir Hugh Dalrymple Lord Preſident of the Seſsion Sir James Stuart his Majeſties Advocat and Sir William Hamilton one of the Senators of the Colledge of Juſtice were deſired to withdraw with the parties for adjuſting a Submiſsion to his Majeſtie, And the said members with the parties haveing removed and being again returned, they reported that the parties were upon the matter aggried but that the Defenders deſired to be adviſed till Munday nixt that then the Report may be made in Parliament and that in caſe either party did refile a dyet might be appointed for adviſeing the dilators and farder hearing the said cauſe ſometime the next week peremptorie.

DRAUGHT of an Act from the Committie of Minuts for makeing up the tenor of certain writs burnt at the late fire belonging to Sir David Home of Crocerig again read, and after some amendments made the vote was ſtated Approve the Act or not, and carried Approve.

PETITION Mr James Daes of Coldingknows craveing warrand to cite the Officers of State Lords of Theſaury and others to appear before the Parliament to the effect therein mentioned, read; and anſwers to the ſaid petition lykewayes read After reaſoning the Queſtion was ſtated Grant warrand to cite or Remit the matter therein contained to be determined by the Lords of Seſsion with a parliamentary power, and carried Remit.

PETITION Mr James Gregory Profeſsor of Mathematicks in the Colledge of Edinburgh craveing an Act to be paſt in his favors for the uſe of a machine invented by him for raiſeing of water and that all others be diſcharged to make uſe thereof for the ſpace mentioned in the petition read Alſo the Report of the Committie to whom the ſame was remitted with the Draught of an Act relative thereto read for the firſt time.

PETITION Mr James Smith of Whitehill craveing that he may be authoriſed to make uſe of an engyne for raiſeing of water to the effect therein mentioned and that no others make uſe thereof without his licence read; and the Report of the Committie to whom the ſame was remitted alſo read: The Queſtion was ſtated Grant the deſire of the ſaid petition, yea or nay, and Carried in the affirmative.

ORDERED that the Committie for Security of the Kingdom and the other Committies do meet on Munday next at nyne of the clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till Munday next at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Munday January 27, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

THE Earl of Argyll in regaird the Duke of Gordon did not agrie to what had been treated and reported by the Honourable Members appointed to treat betwixt them preſented a declaration to be read which was accordingly read, and whereby for the cauſes therein contained he ſiſts further proces for this Seſsion of Parliament in the action at his inſtance againſt the Duke of Gordon and Earl of Aboyne, with proteſtation that the proces commenced may be held ſtill depending untill it be finally determined, And ꝑupon took inſtruments.

DECLARATION by the Laird of Innes alſo preſented and read, whereby he for the cauſes therein contained ſiſts his proces depending before the Parliament againſt the Duke of Gordon and deſired that his proces might be ſtill held as depending untill its finall deciſion And thereupon took inſtruments.

THE Earl of Aboyne for himſelf and in name of the Duke of Gordon declared that they adhered to the offer of ſubmiſsion mentioned in the former dayes Minuts of that proces Whereupon inſtruments were taken.

DRAUGHT of an Act from the Committie for Security for keeping up the number of Forces therein mentioned and allowing the Fonds therein ſpecified for their maintainence dureing the space therein contained, read for the firſt time.

DRAUGHT of an Act for diſchargeing the Quoats of Teſtaments fallen due ſince the year 1689, and in time comeing and for delivering up of all bonds granted for the ſame again read, And being put to the vote Approve or not, It carried Approve.

DRAUGHT of an Act for the farder adjourning the Seſsion, read; and after debate the Queſtion was ſtated Allow a firſt reading to be marked on the said Act or not, and Carried in the affirmative.

.....

[ACT adjourning the Seſsione.

OUR Soveraigne Lord considdering that by a former Act of this Seſsione of Parliament the Seſsione wes adjourned to the firſt

Tueſday of December then next As lykewayes by ane other Act of the ſaid Seſsione of Parliament the Seſsione wes adjourned till the firſt Tueſday of January instant As alſo by ane third Act of the said Seſsione of Parliament the ſaid Seſsione wes adjourned till the tuentie eight of the ſaid moneth of January inſtant and that the Parliament may continew to sit for some tyme Therfor his Mātie w^t advyce & conſent of the Eſtaites of Parliament doeth furder adjourne the meeting of the Seſsione till the fourth day of February next to come in the termes and with the qualificationes conteaned in the ſaid first Act of Adjournment of the Seſsione in all points.

Ed^r 27 Jan^ry 1701.

Read in Parlia^t & Ordered to be marked a firſt reading.]

. . . . . .

DRAUGHT of an Act againſt breakers of houſes, thieves and their reſetters read for the firſt time.

. . . . . .

[OVERTURE by way of Act againſt Breakers of houſes theeves and their Reſetts.

HIS Majestie taking to his consideration the great abuses that are committed in the Kingdome by theiving & breaking of houſes to the great prejudice of the Nation and manifest contempt of his Royall Authoritie For remead wherof with advyce and consent of the three Estates of Parliament, doeth statute and ordaine that all Sherreiffs and their Deputs, Baylies of Regalities, Steuarts of Steuartries and their Deputs all Juſtices of the Peace, & all Magistrats in Burghs, Barrons and others whatsomever that has any Jurisdiction within this Kingdome shall uſe their utmost endeavour for following & purſuing taking & apprehending the saids theives breakers of houſes and their receipts, and bringing of them to condigne punishment And for the better execu^n therof its hereby enacted that the saids Judges or any of p^m that ſhall hapen to aprehend any of the ſd^s theives or their reſetts, that they shall have power either to punish p^m by arbitrary punishment as ſcourging burning or dismembration according as they ſhall judge the merits of the cauſe doe deſerve, or to remit p^m to the Judge Ordinary who has power of life & death to be judged & punished according to the lawes of the Nation And further it is hereby ſtatute & ordained that all Sherreiffs Stewarts & all Magīats of Royall Burghs shall have fit persones within their reẍive Jurisdictions for putting the sentences pronounced by any of the forsaid Judges in execution againſt theſe malefactors with certification that if the sentences be not execute tymeouſly againſt the ſds malefactors for want of executioners within each of their reẍive Jurisdictions, the Magīats of the place shall be lyable to such fynes as the Lords of our Privie Councill upon complaint made to them shall think fit to impoſe And farder it is hereby ſtatute and ordained that all Sherreiffs Steuarts and all Magīats of Burghs Royall shall have ſufficient priſon houſes within their reẍive Jurisdictions for receaving and detaining of ſuch theeves or breakers of houſes as ſhall be offered to them by any of his Majesties leidges (having a warrand for impriſonment ſub^t by a Barron or Justice of Peace) and shall receave the ſaids prisoners into their keeping and cuſtody the offerer of the said prisoner paying allwayes eight dayes aliment at two ſhilling in the day, if the prisoner have not means wherewith to aliment himſelfe, And it is hereby enacted that the said Judge or Judges forsaids, ſhall be obleidged within the said eight dayes to doe juſtice againſt the ſaids malefactors probation being offered for proving of the crymes for which they are impriſoned And if ther be no probation offered within the saids eight dayes it shall be lawfull to the Magistrats within whose Jurisdiction the prisoner is keeped to ſet the prisoner at liberty except the persone at whoſe deſyre he was incarcerat ſhall advance more money for his intertainment in prison at the rate forsaid untill he be able to furnish a probation againſt him or untill he be ſet at liberty by the law of the Nation And his Majestie with advyce & conſent forsaid doeth farder ſtatute and enact that if any of the ſaids theeves or breakers of houſes ſhall be wounded mutilat or killed in their breaking of houſes or their attempting to doe the ſame, that the persone or persones who shall ſoe wound mutilat or kill any of the ſaids theivs in the actuall breaking or attempting to break any of our leidges houſes or in the aprehending of the ſaids theeves after they have broke any of our leidges houſes, that they ſhall be free from all trouble or punishment for doing of the ſame, And his Majeſtie with advyce & conſent forſaid Reſcinds that Clauſe in the 38 Act firſt Seſſ^n firſt Par^t K: C: 2^d quherby the Juſtices of Peace are diſcharged to cite any party till 15 dayes expyre after the fact, in ſo far as may concern the proſecution of theeves and their receipts allennarly Reſerving allwayes to the Lords and Baylies of Regalities their power and priviledge of repledging as formerly.

27 Jan^r 1701.

Read in Parlia^t & Ordered to be marked a firſt reading.]

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DRAUGHT of an Act renueing the Commiſsion of Juſticiary for the Highlands, read for the firſt time.

OVERTURE for an Act anent the peace of the Highlands read and ordered to ly upon the table.

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[ACT of Parliament anent the Commiſsioners of Juſticiarie for secureing the peace of the Highlands.

OUR Soveraigne Lord considering how neceſsary it is for suppreſsing of the depredations and robberies so frequently committed in the Highlands that the Commiſsions of Juſticiarie which have been from tyme to tyme granted since the year 1693 should be renewed with such conditions and proviſions as may render the same moſt effectuall, doeth therefor with advice and conſent of the Estats of Parliament enact and declair that his Majeſtie be vertue of his prerogative royall may of new grant Commiſsions of Juſticiarie ane or mae to such perſons and for such times as he shall think fit for the bounds of the Highlands that is to ſay for the Shyres following viz. for the Shyres of Roſs, Inverneſs, Nairn, Elgine, Bamff, Aberdeen, Kincarden, Angus, Pearth, Stirling, Dumbarton, and Argyle, Sutherland, & Kaithneſs, Cromartie & Clackmannan with all the powers neceſsarie and uſuall in ſuch Commiſsions & as the same shall be more particularly condeſcended upon at the sight and by the advyce of the Lords of his Majeſties Privie Councill, the nominations of the perſons being alwayes left to his Majeſtie & excepting therefrom the bounds and lands lying & comprehended within the heretable right of Juſticiarie generall pertaining to the Earle of Argyle or any other perſon veſted with the lyke heretable right within the ſaid bounds of the Highlands Recommending nevertheleſs to the Earle of Argyle and the saids perſons that when his Majeſtie grants the forſaid Commiſsions ane or mae for the said bounds not above excepted for the space of years they shall grant ample Commiſsions of the lyke nature for their reẍive bounds at the same time dureing the same space and to the same perſons that ſhall be named by his Majeſtie at leaſt to ſo many of them as are willing to act be vertue of the ſaid Commiſsions to the effect that all the ſaid Commiſsioners acting of conſent within the whole forsaid bounds the forſaid depredations and robberies may be the more effectuallie puniſhed and reſtrained Reſerving power to the ſaids perſons haveing right of heretable Juſticiaries generall within the saids bounds excepted to fit with the saids Commiſsioners to be nominated as said is within the said bounds

and to preſide amongſt them when preſent and provyding farder that the Courts holden within the reſpective bounds when fenced in his Majeſties name ſhall be alſo fenced in their names without prejudice alwayes to the whole forſaids perſons haveing the said heretable right of Juſticiary generall and to the Lords of Regalitie and all others of ther reſpective heretable rights and juriſdictions and reſerveing to them the right of prevention for fyftein dayes with their right to all the eſcheats and other caſualities as accords Lykeas his Mätie with advice and conſent forſaid statuts and ordains that in caſe of any robberies & depradations ſhall happen to be committed within the ſaids bounds of the ſds Commiſsions and the perſons committers or hunders out to live or fly without the ſaid bounds As alſo if any of the ſaids ſtollen goods be recept be perſons reſiding without the bounds of the ſaids Commiſsions the Judges within whoſe juriſdictions any ſuch delinquents hunders out committers or recepters lives and reſides or ſhall be found ſhall be obleidged to give their concurrance to apprehend the ſds delinquents to the effect they may be sisted befor the ſaids Commiſsioners who are thereby impoured to judge them tho they doe not reſide within the bounds of their Commiſsions And furder his Mätie with advyce and conſent forſaid of new revives the Act of Parliät in the year 1633 ag^t the Clangrigour and that notw^tſtanding the ſame was reſcinded in the year 1661 Which act reſciſsorie is hereby annulled and made voyd as was formerlie done in the fourth Seſsion of this Parliament in the said year 1693. And to the end the forsds Commiſsions may be þe more effectuall and þ^t þe ſds robberies and depredations may be prevented suppreſsed and punished His Mätie with advyce and conſent forsd doeth further statut and ordain that ther be levied two independant Companies of Foot each conſiſting of 100 centinalls and ther Officers conform weel armed and appoynted as geriſhons and watches to be keept the on of þ^m within þe bounds of and the oþ^r of them within þe bounds of both of them to be located and setled þ^rin in such manner and with such pour as the Lords of his Mäties Privie Councell ſhall think fit to give either by themſelves immediatlie or by authorizing the sds Commiſsioners of Juſticiarie to that effect The Captains Livtenants and Enſigns always nominated and changed by his Mätie at his royall pleaſur but so as both the sds Companies ſhall ſtand during þe ſpace above mentioned And which Companies with ther Officers ſhall be paid and mantained out of þe ceſs or ſuplies by precepts of þe Lords of þe Thesurie to be monthlie iſhued out for ther full pay without diminution and further that the sds Companies and þ^r Officers ſhall be accountable to the Lords of his Mäties Privie Councell in all things and puniſhable by þe ſd Lords for every misdemaner as they ſhall see cauſe.

23 Jan^r 1701.
Read in Parlia^t & ordered to ly on þe table.

27 Jan^r 1701.
Againe read in Parlia^t & ordered to be marked a firſt reading.]

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OVERTURE for an Act for arming of the fencible men in the Kingdom who are or ſhall be qualified in manner therein mentioned, read.

THE Committies appointed to meet to morrow at nyne of the clock in the morning.

The Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Tueſday January 28, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

MOVED that the Act from the Committie for Security of the Kingdom anent the Forces be again read and proceeded in conform to a former Minut; Alſo moved that the Overture for arming the Countrey which was laſt read yesternight be now conſidered, And after debate two ſtates of votes were propoſed, The firſt, Proceed to the finiſhing of the Act for provideing the Forces, or Allow the Overture for arming the Countrey a firſt reading; The second, Proceed to the Act for maintaining the Forces or to the Overture for arming the Countrey and other good laws in order to a firſt reading: And the queſtion being put whither the firſt or second of the said proposalls should be the state of the vote, It carried the firſt, And the said firſt state of the vote being again read, the queſtion was put Proceed to the finiſhing of the Act for providing the Forces, or Allow the Overture for arming the Countrey a firſt reading, & carried to Finiſh the Act anent the Forces.

THEREAFTER the forſaid Act read and again read in paragraphs, After ſome amendments made the narrative of the Act was agried to; Moved that the Eſtabliſhment preſented by his Majeſties Theſaurer Depute may be read, and the ſame was accordingly read, After debate two states of votes were propoſed The firſt if the Quota of the Supply for mentaining the three thouſand men ſhall be conform to the abbreviat of the eſtabliſhment preſented by his Majeſties Theſs^r Depute and preſently read, yea or nay; The second reſtrict the eſtabliſhment read to fewer Regiments or not And the queſtion being put whither the firſt or ſecond propoſall ſhould be the state of the vote It carried the firſt; And the ſaid firſt state being again read the queſtion was put If the Quota of the Supply for maintaining of the three thouſand men ſhall be conform to the abbreviat of the eſtabliſhment preſented by his Majeſties Theſaurer Depute and preſently read yea or nay, It carried in the affirmative.

MOVED that the ſaid Eſtabliſhment upon which this vote is paſsed be ingroſsed in the body of the said Act, And the queſtion being thereupon stated Ingroſs the said Eſtabliſhment in the Act of Parliament or not It carried in the negative.

THEREAFTER moved that the time of continueing the Forces be determined and ſeverall propoſalls being made thereanent After debate the queſtion was stated whither the Forces shall be continued untill the firſt day of June I^m vij^c and two years, or untill the firſt day of December 1702 And Carried untill the firſt day of December 1702, One hundred and seven voters to Seventy eight.

BEFORE calling of the Rolls upon the ſaid vote the Duke of Hamilton deſired his diſsent from continueing the Forces untill December 1702 to be marked and thereupon took Inſtruments, And he and sixty seven more members of Parliament of the said number of seventy eight formerly mentioned who did alſo deſire their diſsents to be marked, their names were accordingly marked to remain in the Records of Parliament.

THE farder consideration of the forsaid Act adjourned in order to be firſt proceeded in the next Sederunt of Parliament.

THE Committies ordered to meet to morrow at nine of the clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P

Wednesday January 29, 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

MOVED that the Eſtabliſhment of the Forces preſented by his Majeſties Theſaurer Depute and read in Parliament the laſt dyet be ordered to be recorded in the Books of Parliament, And the vote being ſtated Record the Eſtabliſhment in the Books of Parliament or not; It carried in the negative.

THE Act for provideing the Forces again read and proceeded in: Propoſed that the annexed Inland Exciſe formerly allowed by his Majeſtie and set in tack to Baillie Meinzies for fourty thouſand pounds Sterling of yearly tack duty for ſeveral years yet to come be a part of the fond for maintaining the said Forces; And a debate ariſeing anent the said tack duty the tack set by the Lords Commiſsioners of his Majeſties Theſaury to Baillie Meinzies was read; Alſo a Petition given in by the said tackſmen read, whereby they craved upon the conſiderations therein mentioned to be relieved and diſcharged of their said tack; After reaſoning upon the matter of the forſaid Exciſe it was propoſed in Parliament that if the Theſaury will aſsigne Baillie Meinzies's tack of the Exciſe for the three years therof yet to run, that ſubſtantiall perſons will accept the same and find security to the Theſaury to pay fourty thouſand pounds Sterling yearly for three years as the tack duty of the said annexed Exciſe Which propoſall being read the same was marked by the Lord Chancellor, And after reaſoning thereupon it was agried that it be remitted to the Lords of his Majeſties Theſaury and Excheqr to hear the propoſall offered to make good Baillie Meinzies's tack for payment of the fourty thouſand pounds Sterling yearly in time comeing, as alſo to hear any other offer or propoſall that may be made for raiſeing of the said Exciſe to the beſt availl.

THEREAFTER moved that the Quota voted for payment of the three thouſand men in so far as the ſame ſhall not be payed by the Inland annexed Exciſe shall be made up by a Land Ceſs; Alſo moved that the concealments by falſe muſters of the Forces be a part of the said Fond; And a petition given in by John Smith late Muſter Maſter Depute anent that matter deſired to be read, Agried that the petition of the ſaid John Smith be read how ſoon the Parliament ſhall proceed to conſider the arrears of the Army.

LIKEWAYES moved that a Pole, or a third part of Penſions and Sallaries, marked Paper, or an Impoſition upon Glaſs Windows may be proper Fonds for makeing up the Quota for maintaining the said Forces, After debate the Queſtion was ſtated Make up the said Quota by a Land Ceſs alone, or by ſome other of the above mentioned Fonds, And Carried to make up the Quota by a Land Ceſs alone.

HIS Majeſties high Commiſsioner appointed the Lords Advocat Theſaurer Depute and Juſtice Clerk or any two of them to reviſe the Ratifications and Acts for fairs to be preſented in this Seſsion of Parliament.

THE Committies appointed to meet to morrow at nine of the clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at twelve of the clock.

MARCHMONT Cancellar. I. P. D. P.

Thurſday January 30, 1701.

PRAYERS said Rolls called.

MINUTS of the laſt Sederunt read.

THE Lord Chancellor did report that the Lords of Theſaury and Excheqr had met conform to the remit mentioned in the former dayes Minuts and had heard the offers and propoſalls made for the annexed Inland Exciſe, and did reſume what had paſt betwixt the Lords of Theſaury and the offerers thereanent and afterward gave in the same in writeing bearing that the Lords of the Theſaury and thoſe who offered for the said Exciſe did not come to a concluſion on the propoſall formerly mentioned, which was read.

MOVED that without further debate upon the said tack of the Exciſe the Parliament conſider how much Land Ceſs will be neceſsary with what may be effectually expected out of the Fond of the Exciſe to make up the Quota of the Eſtabliſhment of three thouſand men already voted. After debate the Queſtion was stated Whither for maintaining of the Forces there should be given five or six moneths Ceſs and Carried six moneths Ceſs.

THEREAFTER the Act for provideing of the Forces was proceeded in and read and severall amendments made And being again read in mundo It was put to the vote Approve the Act or not and carried Approve.

MOVED that a petition offered from the Burgh of Fortroſe againſt the late generall receivers and others craveing redreſs of certain abuſes be conſidered; and agried that the ſame be remitted to be cognoſced and determined by the Lords of Privie Councill.

DRAUGHT of an Act diſsolveing from the Croun the Mines and Mineralls lying within the lands and lordſhip of Nidpath belonging to William Earl of March read for the firſt time.

DRAUGHT of an Act for diſsolveing the Iſles of Orkney and Zetland from the Croun to the effect allennarly that the ſame may be set in long tacks by publict roup for the better improvement of his Majeſties Revenues there, read.

MOVED that there be a day appointed for hearing the cauſe at the inſtance of the Earl of Mortoun againſt the Officers of State and Saturday next appointed for hearing thereof.

OVERTURE for an Act impowering the Lords of Seſsion with a parliamentary power to determine in all differences betwixt the old and new tackſmen of the Pole 1693 and to apply the sums reſting thereof to the Officers of the Army haveing right thereto, read: Moved that the said matter be remitted to the Commiſsion of Parliament formerly named for that purpoſe and that the vacancies therof be supplied, which was agried to, and that to morrow morning the Eſtates of Parliament choyſe certain of their number to supply the vacancies.

THE Committies appointed to meet to morrow at nine of the clock.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Friday January 31, 1701.

PRAYERS ſaid Rolls called.

MINUTS of the laſt Sederunt read.

THE Acts following viz. Act for preventing wrongous impriſonments and againſt undue delayes in tryalls, Act reſcinding the Act of Parliament 1663 anent the ordering and diſpoſall of forraign trade, Act diſchargeing the importing and wearing of forraigne woollen manufactures, Act diſchargeing the export of wool, Act in favors of Sir Patrick and James Ogilvies anent their marble, Act diſchargeing the importation of wine, brandy and all other liquors of the grouth of France, Act againſt prophaneneſs, Act prohibiteing the importing of Silk Stuffs and others, Act in favors of the African and Indian Company, Act diſchargeing the Quoats of Teſtaments, Act for twelve moneths Ceſs upon the land rent, And Act for proveing the tenor in favors of Sir David Home of Croſsrig were all touched by his Majeſties Commiſsioner with the Scepter in the uſual manner.

DRAUGHT of an Act for a Commiſsion for determineing the differences betwixt the old and new tackſmen of the Pole Money 1693 and Officers of the Army therein concerned, read for the firſt time, And agried that to morrow the States ſhall ſeperat and choiſe three of each State to be filled up in the said Commiſsion.

DRAUGHT of an Act anent Coal and Salt, read for the firſt time.

HIS Majeſties high Commiſsioner did ſignifie to the Parliament that his Matie may have occaſion for the Forces not provided for by the Parliament and deſired that the Parliam^t might conſent to the keeping up therof for ſome moneths untill his Matie conſider how to diſpoſe of them provideing that dureing that ſpace they be mentained by the King without burdening the Fonds given by the Parliament for the three thouſand men; After reaſoning on what was propoſed by his Majeſties high Commiſsioner, a Reſolve was offered in theſe terms viz. Resolved that the Forces upon the former Eſtabliſhment not exceeding eleven hundred men over and above the three thouſand men conſented to in this Seſsion of Parliament and cannot continue or be keept up after the firſt of February next without the Parliaments conſent be farder continued for the ſpace of four moneths and no longer after the ſaid firſt day of February that his Majeſtie may in the mean time diſpoſe upon them with this expreſs condition that his Majeſty order them to be payed and mentained but out of no Fond appointed for payment of the ſaid three thouſand men and without any burden to the Kingdom Which Reſolve being read was put to the vote Approve or not, and carried Approve One hundred and eleven to Fifty eight.

BEFORE calling the Rolls upon the ſaid vote the Duke of Hamilton and Marques of Tweeddale declared that they did diſsent from the ſaid Reſolve and thereupon took inſtruments and they and fourty one more Members of Parliament of the ſaid number of fifty eight above mentioned deſired their diſsents to be marked which was accordingly done to remain in the Records of Parliament.

DRAUGHT of an Act from the Committie of trade for meaſuring and ſealling of Linnen and Woollen Cloath, and another Act from the ſaid Committie anent the Exporters of Linnen Yearn, both read for the firſt time.

OVERTURE for an Act that thoſe who have offices about the Bank of Scotland do take the Oaths and other Engagements to his Majeſty required by law; And the Governour of the ſaid Bank haveing deſired up the ſaid Act to ſee, a vote was ſtated Allow the ſaid Act a firſt reading, or the Governour of the Bank to ſee the ſame and Carried the Governour to ſee the ſame.

DRAUGHTS of the Acts following viz. Act anent the Poor, Act in favors of the Lords of Seſsion, Act for the more effectual execuſeing the laws againſt the ſlayers of Black fiſh and deſtroyers of Smolts and fry of Salmond in forbidden time, Act anent the fiſhing upon the water of Nith, Act in favors of Mr Thomas Rome and Partners anent the smelting and refineing of Mettalls and Mineralls, Act concerning the crime of ſlandering and leaſing makeing, Act anent the Juſtices of Peace, and Act of diſsolution from the Croun of the Mines and Mineralls lying within the lands lordſhip and Earldom of Atholl and others belonging to the Marques of Atholl and Earl of Tullibardine, all read for the firſt time.

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[ACT anent the Poor.

OUR Soveraign Lord with advice & consent of the Eſtates of Parliament ratifies and revives all Acts of Parliament & Proclamations of Councill for maintaining of the Poor & repreſsing of Beggars eſpecialy without prejudice of the ſaid generality, the Proclamations of Council dated the 11 Auguſt 1692 the 29 Auguſt 1693 & laſt of July 1694 with the 29 Act of the Parliament 1696 ratifieing the ſaid Proclamations, whereby every paroch within the Kingdom is ordained to maintain its oun poor and hoſpitalls are appointed for that effect As alſo the Lords of his Māties Privy Councill are impowered and authorized if they ſhall think needfull to grant Commiſsions to perſouns to be by them named to be Superviſers and Inſpecters of the Poor either in particular Shyres or Burghs or over the whole Kingdom, Which Acts of Parliament and Proclamations of Councill are hereby ordained to be put to vigorous execution in all points except in ſo far as they are hereby innovat And farder it is hereby statut and ordained that the half of the Collections at the Church doors and of what ariſes from Baptiſmes Burialls or otherwayes for the uſe of the Poor and the haill ärents of all ſoumes of money lent out or mortified for the behove of the Poor in any paroch ſhall be applied in the firſt place for the maintaining of the poor in theſe paroches reẍive without prejudice to mortifications in any paroch q^ch are to be applied conform to the fundations And the other half of theſe Collections and perquiſits to be lyable to incident charges and other uſual burdens at the diſpoſeall of the Kirk Seſsions provydeing that the superplus if any be ſhall be applyed togither with the forſd first moyetie toward the maintinance of the Poor at the ſight of the Heretors in each paroch Which Heretors of each paroch are hereby authorized to meet with the Kirk Seſsion thereof upon the day of next to come for þ^r firſt meeting And therafter at ſuch dyets as they ſhall appoint And failẓeing of ſuch appointments the firſt Tueſday of every moneth and there to take up and make liſts of þ^r Poor and to provyde & lay doun rules and methods for þ^r maintinance and that either equaly and proportionaly to þ^r valued rents or by burdening the ſeverall Heretors with þ^r reẍive Poor within þ^r bounds or otherwayes as the ſaid Heretors or þ^r plurality or any one who keeps the dyets ſhall appoint With power to the ſaid Heretors and þ^r plurality meeting as ſaid is to ſtent the whole Heretors whither minors or op^rs of the paroch with ſuch ſoumes of money as ſhall be found neceſsary for the maintinance of þ^r ſaid Poor and to pay Conſtables and op^rs neceſsary expenſs for proſecution of this preſent Act As lykewayes with power to appoint ſuch rules & methods as they ſhall find moſt effectuall for keeping vagrant beggars out of the paroch and to reſtrain all begging from door to door within the paroch and to puniſh by fyneing or in caiſe of inability to pay

by corporall punifhment the tranſgreſsors of p^r ordors As alſo to appoint ſuch perſouns as they ſhall think fit for uplifting and applying of the ſaid ſoumes Upon q^ch ſtent rolls duely ſubſcryved by the Preſes of the meeting ſummar poynding as uſe is in burghs royall or for maſters rents and all other executions competent ſhall proceed for uplifting and ingathering of the ſaid ſoumes And it is hereby declared that the tennent ſhall be lyable for the equall half of the Heretors cefs or of the maintainance of the poor in maner as the ſame ſhall be appointed by the ſaid Heretors provyding that the Heretors have noe releiff for lands in their oun poſſeſsion Certifieing the ſaids parochs and haill Heretors lyferenters and tutors & curators of minors and op^rs lyable within the ſame that if they doe not effectualy provyde for and maintain p^r oun Poor or if they ſuffer beggars to goe and beg from door to door each of the ſds paroches ſhall be lyable to a fyne of half a merk quarterly on each hundred pounds of valued rent during p^r deficiency to be payed to the informer complaining & purſueing in maner aftermentioned And it is hereby declared that the forſaid complaint and proces p^rupon may proceed at the inſtance of any perſone reſideing within the paroch deficient or at the inſtance of the Kirk Seſsion p^rof or at the inſtance of any Heretor in any of the thrie next adjacent paroches or at the inſtance of the P^ror Fiſcall of any Court competent within the bounds wherein the ſd paroch lyes As alſo that it ſhall be a ſufficient ground to make the ſd paroch lyable as deficient that the Poor are not effectualy provyded for or beggars are ſuffered to goe from door to door albeit the ſd deficiency doe only ariſe or be occaſioned by the neglect or fault of particular perſons ,one or moe within the paroch Provydeing nevertheles that the ſd perſons one or moe realy neglective and faulty as ſaid is ſhall be lyable not only for p^r oun proportions bot alſo for releiving the other Heretors and haill paroch of the ſd fyne with all damnage intereſt & expenſ^e incurred throw p^r default And farder that the Judge Ordinary of the bounds whether Sherriff Stewart Baillie of Regality or Royalty or p^r deputs or any tuo of the Juſtices of Peace of the Shyre ſhall be Judges competent to the ſd complaint and proces of deficiency With power to them alſo to enquyre and take information and make up liſts of the Poor of the ſd paroch deficient and to ſtent the ſame by the valued rent for the maintaining of the ſaid Poor and to name Conſtables and others for uplifting and applying the ſaid money ſtented to the Poors uſe Upon q^ch ſtent roll made in caiſe of deficiency in maner above mentioned & duely ſubſcryved by the ſd Judge Ordinary or his Clerk all execution ſhall paſs as if the ſaid ſtent roll had been made up by Heretors of the paroch from tyme to tyme in maner above preſcryved, And his Ma, with advice & conſent forſd doeth furder recomend it to and fully impower the Lords of his Ma, Privy Councell to take the moſt effectuall courſes for executeing of the premiſ^e and cauſeing p^m to be duely obſerved conform to the true deſigne p^rof.

Ed^r 31 Jan^ry 1701.
This Act read and Ordered to be marked a first reading.]

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[ACT in favors of the Lords of Seſſion.

THE Eſtates of Parliament conſidering that in reſpect the Senators of the Colledge of Juſtice were incompetently provided, his Mātie with their conſent did by Act of Parliament the firſt of September 1698 appoint two quarters of a moneths cefs to be payed at two terms viz. one quarter thereof at Whitſunday 1699, and the other at Whitſunday 1700, to be equally divided amongſt the ordinary Lords of Seſsion for their ſervice the ſaid two years 1699 and 1700, untill a fond ſhould be found out for their better proviſion, Which two years being now over and it being ſtill reaſonable that the ſd Senators of the Colledge of Juſtice be competently provided till the ſaid fond be ſetled Doe therefor make ane humble offer to his Majeſtie of ane halfe moneths cefs payable at the terms following for the uſe and benefit of the ſaid ordinary Lords of Seſsion, to the effect aftermentioned viz. That the firſt half of the ſaid half moneths cefs be for their ſervice from the moneth of November 1700 to the moneth of July both incluſive, and to be payed at Whitſunday next, and the ſecond half of the ſaid half moneth for their ſervice in like manner from November 1701 to July 1702 at the term of Whitſunday 1702, to be divided amongſt them as the ſame ſhall be uplifted and brought in for their ſervice the years forſaid, till a ſuitable fond be ſetled for their better & conſtant proviſion in tyme comeing. Likeas his Majeſtie with advyce and conſent of the ſd Eſtates appoints the ſd halfe moneths Cefs to be uplifted by the Collectors of Supplie granted to his Majeſtie in this Seſſion of Parliament in the ſeverall ſhyres & Burghs of this Kingdom and the ſame execution to be uſed for the ingathering thereof as is appointed for the ſaid ſupplie, and that the ſaid Collectors pay in the ſame to the Collector appointed by the ſd Lords of Seſſion for uplifting their other rents whoſe diſcharge and receipt in whole or in part ſhall be a ſufficient exoneration to all concerned, And it is hereby provided that noe perſon ſhall be holden to produce a diſcharge of the ſd Cefs after three years from the forſd term at which it is payable.

Ed^r 31 Jan^ry 1701.
Read in Parliament & Ordered to be marked a firſt reading.]

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[ACT for the more effectual executing the Laws ag^t Slayers of Black & Red Fish & Deſtroyers of Smolts & Fry of Salmond in forbidden time.

OUR Soveraigne Lord and Eſtates of Parliament conſidering that notwithſtanding of the great care taken by his Māties Royall Predeceſsors, for preventing the killing of black and red fish in forbidden time, and fry and ſmolts of ſalmon; yet the ſeverall Acts made thereanent have not hitherto been put to due execution to the great prejudice of his Majeſties Revenue in particular and of the whole Kingdom in generall. Therefor his Majeſtie and Eſtates of Parliament do hereby ratifie, revive and approve all former Lawes and Acts of Parliament made ag^t killers of black and red fish in forbidden time and fry and ſmolts of ſalmon, with the Commiſsions granted in favours of the Shirreifs Lords of Regality and other perſones giving them power of jurisdiction ag^t delinquents in the haill heads tenor and contents thereof And his Mātie and Eſtates of Parliament doe hereby ſtrictly require and command all Shirreiffs, Stewarts, Lords of Regality Baillies of Baillieries and their deputs with all Magiſtrats of Burghs and other Judges ordinary to put the forſaids laws in due execution, and for that effect to hold Courts as often as required by the heretors of fiſhings and at leaſt twice every year viz. the firſt Tueſday of February and firſt Tueſday of Auguſt with continuation of days without neceſsity of any diſpenſation as they will be anſwerable at their perrill Certifieing them if they neglect to proceed in holding of the ſaids Courts and puniſhing delinquents being required thereto by any of the heretors infeft in ſalmond fiſhing they ſhall be lyable in the ſume of one thouſand pounds Scots money toties quoties by and attour paying the damnage to the reſpective heretors and that the Deputs faillieing in the premiſ^e ſhall further loſs their Offices And his Majeſtie and Eſtates forſaid in caſe of the neglect of the ſaids Judges being required as ſaid is do hereby give full power and commiſsion to any two Commiſsioners of Supplie or Juſtices of Peace in conjunction with the heretors who have required as is aforſaid to proceed and be Judges within the bounds of the jurisdiction of him who was required and has failled to adminiſtrat Juſtice in manner forſaid Impowering them hereby to call before them and puniſh delinquents conform to the former Acts of Parliament hereby ratified

in the same form and manner as the said Judge might have done before the requisition. And sicklike it is hereby statute and ordained that all landlords heretors and others are from hencefurth lyable to produce whatsoever persones dwelling on their bounds and sist them to Justice ay and oft as the saids persones shall be accused of transgressing the laws anent killing of black and red fish in forbidden time or destroying of smolts or salmon fry under the penalty of five hundred merks toties quoties the saids heretors landlords and others being lawfully warned or cited on the space of twenty days for that effect And p^t the saids landlords heretors and others if they harbour or reset upon their ground any such persones as shall be accused for transgressing the saids laws & declared fugitives for not compearance the so resetter or harbourer shall be sicklike lyable in the sume of one thousand ſilks of fine toties quoties they being always duely certiorat by way of instrument of such sentences or decreets of fugitation.

Ed^r 31 Jan^r 1701.
Read in Parlia^t and Ordered to be marked a first reading.]

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[ACT of Parliament anent the fishing upon the water of Nith.

OUR Soveraigne Lord and Estates of Parliament haveing considered ane representation made to them by severall heretors within the Shirriffdome of Drumfries who have right of fishing in the water of Nith bearing that be ane unprented Act of Parliament in the year I^m vj^{cs} eightie ane libertie was allowed thereby to the severall heretors and others haveing right to the said fishing to fish till the first day of November yearly And the saids heretors being sensible that since that tyme the fishing upon the said water is very much decayed which they think is occasioned by killing of fish in the moneth of October at which tyme the salmond and other fishes in that water doe commonly spaun and ridd Therefore our Soveraigne Lord with the advice and consent of the said Estates of Parliament doeth heirby statute and ordain that the forbidden tyme of fishing upon the said water in all tyme comeing sall begine and commence at the first day of October and continow till the last day of February both inclusive And ordains all Laws and Acts of Parliament made againſt killers of fish in forbidden tymes to be put to execution against all killers of salmond or other reid fish in the said water during the forsaid space heirby forbidden And declairs all other Laws and Acts of Parliament anent fishing to stand in full force as to the said water except in sua far as the samen is heirby altered.

Ed^r 31 Jan^{ry} 1701.
Read in Parlia^t & Ordered to be marked a first reading.]

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[ACT of Parliament in favours of Mr Thomas Rome and Partners.

OUR Soveraign Lord & Estates of Parliament considering the great advantage that may redound to this Nation by the encreasing of bullion and extracting the same out of lead and otherwayes improveing the mineralls of this Kingdome And that John Rome Mathew Colson and Thomas Rome have with great labour and industrie acquyred a new and particular art of smelting extracting and refyneing mineralls and have alreadie begun and set up a work for doeing of the same within this Kingdom Therfore and for the advancement of so good a designe and encouragement to the parties undertakers His Majestie with advice and consent of the saids Estates of Parliament gives & grants free libertie and power to the saids John Rome Mathew Colson and Thomas Rome and to ther assignes and partners to erect the said manufactorie ether in brugh or landward as they shall think fit and ther to dwell and exercise ther trade without any stop or trouble and that for the space of twentie one years nixt after the date heirof declareing that the sd manufactorie so erected shall have and enjoy all the priviledges immunities liberties due by our laws for the encouragement of manufactories or given and granted to any other manufactorie in this Kingdome And for ther farder encouragement His Majestie with consent forsd strictly prohibits and discharges any person or persons whatsomever to set up or practise the sd art of smelting extracting and refyneing lead and other mineralls after the new way & maner practised by the sd Mr Rome and Partners and that dureing the space & currency of twentie one years certifieing such as shall doe in the contraire they shall forfault not only the mineralls so smelted extracted & refyned but lykwise all ther materialls & utincills imployed in workeing smelting & refyneing the same declareing alwayes that it shall be free and leisum to any of our leidges to extract smelt and refyne any minerall or mineralls within this Kingdome after such wayes and in sicklyke maner as was used here before or by any new invention differing from that used or practised by the sds Mr Romes and Partners forsaid And His Majestie with consent forsaid statuts & ordaines that no extracter smelter or refyner within this Kingdome shall hyre or conduce any servants or artests imployed by the said Mr Rome and his Partners without ane sufficient discharge of ane or other of the sds Partners and in caise any receive sie or hyre the sd servants or artests belonging to the said Mr Romes and Partners without sufficient discharge as said is ther sds masters or one or other of the saids Partners reclameing and challenging ther sds servants within year and day that the sds persons who have imployed or fied the sds servants shall deliver them back againe within the space of twentie four houres after they be required by any of the sds partners so to doe under the penalty of makeing up all ther lofs and damnage they may sustaine throw want of the said servant or servants and the sum of one hundred pound sterling moe by and attour makeing up therof to be refounded & payed be the detainer forsd to the said Mr Romes & Partners and that for ilke servant and ilke time they shall be imployed hyred and detained in maner forsaid Lykas his Majestie with consent forsd heirby allows to the sd Mr Romes & Partners the full free use priviledge and libertie of any ingines for draineing of water out of mynes formerly made use of be them in England notwithstanding of any parlar Act made & granted or to be made & granted in favors of any other person whatsomever for whatsomever years yet to run.

31 Jan^{ry} 1701.
This Act read in Parliament for the first tyme.]

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[ACT anent Leesing Makers & Slanderers.

OUR Soveraigne Lord considering that by the Acts of Parliament following viz. the Act Ja: First Par: 2 Cap: 43 intituled Leesing makers tines life and goods The Act Ja: 5 Par: 6 Cap: 83 Of leesing makers Act Ja: 6 Par: 8 Cap: 134 Anent slanderers of the King his Progenitors [Estait] & Realm Act Ja: 6 Par: 10 Cap: 10 intituled Authors of slanderous [speaches] or writs should be punished to the death Act Ja: 6 Par: 14 Cap: 205 Anent leesing makers and authores of slanders and Act Ja: 6 Par: 20 Cap: 9 intituled Act againſt scandalous speeches and libells The crimes therein mentioned are made capitall and punishable by death and confiscation and that the sds lawes have been lyable to streatches and that in respect of their generality and the various construction which the same may admit they may be as to the forsd capital punishment of dangerous consequence Doeth therefore with advice and consent of the Estates of Parliament abrogat and discharge in all time comeing the forsd sanction and pain of death and confiscation contained in the sdsActs and Statutes And Ordaines

that the punifhment of the crimes therein mentioned fhall for hereafter only be arbitrary according to the demerit of the transgrefsion that is by finning imprifonment and banifhment or if the partie offender be poor and not able to pay a fine then to be punifhed in his body life & limb alwayes preferved.

Ed^{r} 31 Jan^{ry} 1701.

Read in Parliament and Ordered to be marked a firft reading.]

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[ACT anent Juftices of Peace and Conftables.

OUR Soveraigne Lord Confidering how much the appointing of Juftices of Peace and Conftables within all the Shires of this Kingdom may contribute to the peace quiet and good government thereof and to the speedy and impartial execution of law and juftice and more efpecially to the effectuall execution of the lawes made againft profanenefs and for releiff of the Poor and repref sing of idle beggars and vagabonds with all other lawes committed to their charge Doeth therefore with advice and confent of the Eftates of Parliament ratify and revive the Act of Parliament made by King Charles the Second in the year 1661 intituled Commifsion and Inftructions to the Justices of Peace and Conftables with the inftructions therein contained in the haill heads articles and claufes thereof excepting allenerly that in place of the oath of alleadgance therein mentioned to be taken by the Juftices of Peace they fhall qualify themfelves by swearing the oath of alleadgance and by fubfcriving the same with the afsurance as they are set doun and appointed to be taken by the Act of Parliam^{t} 1693 And his Mätie with advice and confent forsd of new statutes and ordaines that in all time coming there fhall be Juftices of his Mäties Peace within each severall Shire of this Kingdom of the number following and no more viz. For the Shireffdome of Edinburgh &c. Which Juftices of Peace are to have each of them at leaft in land eftate by infeftment and pofsefsion to the valew of of valwed rent And the firft Juftices being now nominat by his Mätie in plene Parliament their succefsors either by death or any other manner of vacation shall be nominat and appointed by his Mätie and his succefsors And the sd Justices are hereby impowered to administrat justice and put his Mäties lawes in execution according to the Inftructions contained in the forsd Act & Commifsion And which Inftructions with the other Inftructions and orders therein given for Conftables are all herein held as particularly repeated And his Mätie with advice and confent forsd appoints the firft meeting of the fds Justices to be before the Shirreffs of the rexive Shires upon the day of next to come within the head brughs of the said Shires where the fd Shireff fhall adminiftrat to them the oath of alleadgance with the afsurance and the oath de fideli as is by law appointed After which they fhall choife their oun Preses pro ifta vice and so furth thereafter with their Clerks to be accountable to them and qualify and admit the fd Clerks conform to the fd Act of Parliament 1693 As alfo that thencefurth they adminiftrat and appoint and keep their meetings in manner contained in the fd inftructions And to the effect that both they and all Shirreffis Stewarts Baillies of Regality and other Baillies and their deputes to whom the fame power and cognition of causes and delinquencies is by this Act equally committed may doe their part and act faithfully according to the truft repofed in them, It is hereby farder statute and ordained that where either the fds Justices of Peace or the fds other Judges and Officiars of the law shall faill to doe their dewty and in the due execution of the lawes either throw injustice partiality or ignorance It fhall be lawfull to either of them to call and conveen others before the Lords of his Mäties Privy Councill to be by them tried and punifhed by fynning deprivation or otherwayes according to their demerit.

Ed^{r} 31 Jan^{ry} 1701.

Read in Parlia^{t} & Ordered to be marked a firft reading.]

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[ACT of Difsolution of ye Mynes & Mineralls belonging to ye Marques of Athole & Earle of Tullibardine.

OUR Soveraign Lord considering the great and fpeciall fervices done and performed to his Majeftie and his predicefsors and the Croun of this his ancient Kingdom by John Marquefs of Atholl and John Earle of Tullibardine his eldest lawfull son and that the disponing to the faid John Marquefs of Atholl in liferent and the said John Earle of Tullibardine his heirs and fuccefsors the haill Mines Mettalls and Mineralls either allready found or that may be found for hereafter within any part of the lands lordfhip and earledom of Atholl and others belonging to the faid John Marquefs of Atholl or the faid John Earle of Tullibardine with all right title and interest whatfomever that his Majeftie hath or may have to the fame in maner aftermentioned may concontribut much to the further fearching difcovering finding working and winning of the faids Mines Mettalls and Mineralls for the good of the whole Kingdom Doth therefor with the advice and confent of the Eftates of Parliament difsolve the haill forfaids Mines whether of gold silver tin lead copper or other mettalls of whatfomever kynd or quality and Mineralls within the bounds forfaid with the tenth part thereof and all other duties & customs payable to his Majeftie therefor with all right title and interest that his Majestie his heirs or fuccefsors hath or can pretend thereto from his Majesties Crown and patrimony thereof and all annexations thereto to the effect his Majestie and his forsaids may freely give grant and dispone the fame to the faid John Marquefs of Atholl in liferent and to the faid John Earle of Tullibardine his heirs fuccefsors and afsigneys in fie in fuch full and ample maner as his Majestie fhall think fit to be holden of his Majestie and his fuccefsors in feu and heretage for ever for payment of fuch feu duties as his Majestie fhall appoint for all other burden question or demand in the moft free and abfolute manner.

Ed^{r} 31 Jan^{ry} 1701.

Read in Parlia^{t} & Ordered to be marked a firft reading.]

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OVERTURE for an Act allowing a certain quantity of copper therein mentioned to be of new coined, read, and ordered to ly on the table.

PETITION the Earl of Kilmarnock craveing the cuftome therein mentioned for each feck of meal to be brought to his meal mercat in the Burgh of Killmarnock read, and the defire thereof granted.

PETITION the Burgh of Fanff craveing allowance of a voluntary contribution for building their harbour and other caufes therein fpecit read and the defire thereof granted.

ACTS of Ratifications in favors of several perfons prefented and paft: And warrands for fairs and weekly mercats in favors of several perfons read and granted.

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[LIST of Ratifications paft in Parliament.

Ratification in favors of John Marques of Atholl and John Earl of Tullibardine his eldeft lawfull son of their Chartor under the Great Seall of the Mines of gold filver lead tinn copper and all other kind of Mettalls and Mineralls found or to be found within the haill bounds of the lands & earldom of Atholl and all other lands lordfhips baronies and others of whatever defignation

belonging to them as well in property as superiority within this Kingdom Which Chartor contains a diſsolution by his Majeſtie and his promiſe to diſsolve in Parliament the forſaid Mines and the tenth part ꝑof payable to him from the Croun; With an Union therof to the said lands and earldom, and an approbation of all bargains made thereanent betwixt them and whatſoever perſons With a diſpoſition to them of the ſaid tenth part of the forſd Mines The holding whereof is alſo thereby changed and taxed for a certain few duty therein expreſt, And the ſame is dated at Kenſingtoun the twenty ſeventh day of April I^{m} vj^{c} and ninety nine years.

Ratification in favors of John Earl of Erroll of a Chartor under the Great Seal granted to him of the lands and barrony of Dalgaltie and others therein ſpēit containing an Novo Damus of ꝑe said lands and a new erection of the ſame with ſeverall other lands men^{t} in the ſaid Chartor in a free regality and earldom called the Regality of Slains and Earldom of Erroll containing alſo an erection of a Burgh of Regality and Harbour therin named And a priviledge of keeping a weekly mercat and two yearly fairs with a change of the holding of ſome of the said lands from waird to taxtwaird and ſeverall other clauſes expreſt in the ſame Which is dated at Kenſingtoun the twenty nynth day of March I^{m} vj^{c} and ninety nyne years.

Ratification in favors of William Earl of March of two Chartors granted to him under the Great Seall, one of the Mines of gold ſilver lead tinn copper and all other Mettalls and Minerals found or to be found within the bounds of his lands and lordſhip of Neadpath comprehending ꝑe lands and others therein expreſt Which Chartor contains a diſsolution by his Majeſtie and his promiſe to diſsolve in Parliam^{t} the forſaid Mines and the tenth part thereof payable to him from the Croun With an Union ꝑof to the said lordſhip and an approbation of all bargains made thereanent betwixt him and whatſoever perſons With a diſpoſition to him of the ſaid tenth part of the forſd Mines which is thereby changed and taxed for a certain few duty therein expreſt And the ſame containing sēall other clauſes is dated at Kenſingtoun the twentieth day of April I^{m} vj^{c} and ninety ſeven years And the other Chartor of the two merk and half merk land of Eaſter Glenrath and others spēit in the ſame containing a change of holding from waird to taxtward and ſeverall other clauſes ꝑin Which is dated at Kenſingtoun the firſt day of February I^{m} vj^{c} and ninety eight years.

Ratification in favors of Sir Hugh Dalrymple of Northberiwck Preſident of the Colledge of Juſtice of a Chartor granted to him under the Great Seall of the lands and barony of Northberwick and of ſeverall other lands therinſpēit containing a new erection of the said barony With a Novo Damus of the ſaid haill lands and ſeverall other clauſes therein And is dated at Kenſingtoun Court the twenty fifth day of April I^{m} and vij^{c} years.

Ratification in favors of Sir James Murray of Philiphaugh one of the Senators of the Colledge of Juſtice and John Murray his eldeſt lawfull ſon of their Chartor under the Great Seal of the lands and barony of Philiphaugh comprehending the lands and others therein expreſt, Which Chartor contains a Novo Damus and new erection thereof, a taxing of the ward holding of ſome of the ſaid lands with ſeverall other clauſes And is dated at Kenſingtoun the fifteenth day of February I^{m} and vij^{c} years.

Ratification in favors of Sir James Scougall of Whitehill one of the Senators of the Colledge of Juſtice of his Chartor under ꝑe Great Seall of the touns and lands of Nether and Over Boddoms and others therinſpēit containing a Novo Damus and changeing the ward holding of the ſame to taxtward Which Chartor is dated at the twelvth day of January I^{m} vj^{c} & ninety nine years.

Ratification in favors of George Carruthers eldeſt lawfull ſon to the deceiſt John Carruthers of Hollmaines of his Chartor under the Great Seal of the lands and barony of Holmaines which comprehends ꝑe particular lands & others ꝑin ſpēit with ꝑe burgh of barrony of Meikle Daltoun, containing ꝑin a Novo Damus and new erection of ꝑe ſd barony and burgh of barony with a change of the ward holding therof to taxtward Which Chartor is dated at Kenſingtoun the thirtieth day of May I^{m} vj^{c} and ninety nine years.

Ratification in favors of William Hairſtains of Craigs of his Chartor under the Great Seal of the lands and barony of Craigs comprehending the lands and others therein expreſt Which Chartor contains a Novo Damus and erection of the ſaid barony with a change of the holding of the ſame from ward to taxtward and ſome other clauſes, And is dated at Kenſingtoun the nynteenth day of April I^{m} and vij^{c} years.

Ratification in favors of George Logan of Burncaſtle and Iſobell Douglas his ſpouſe of a Chartor granted to them under the Great Seal of four oxengates and half an oxengate of land of the lands of Weſter Dudingſtoun containing a Novo Damus and changeing the holding therof from ward to taxtward, with other clauſes therein ſpēit And is dated at Kenſingtoun the nineteenth day of April One thouſand and seven hundred years.

Ratification of a contract and agreement betwixt the Magiſtrats Toun Councills and Communities of the burghs of Glaſgow and Dumbartan concerning their ſeverall rights and pretentions to the river of Clide By which contract the ſaid Magᵗˢ & Toun Councill of the burgh of Dumbartoun do ratifie a decreit of declarator therein ſpēit obtained before the Lords of Seſsion at the inſtance of the toun of Glaſgow againſt the ſaid toun of Dumbartoun and sells and diſpones to the Community of the ſd burgh of Glaſgow the haill duties payable to their forſd burgh of Dumbartoun by ships and barks &c. wherof the freemen inhabitants thereof are not owners loading and unloading in the ſaid river with the offers formerly in uſe to be made to the ſd toun of Dumbartoun by strangers not freemen thereof in manner mentioned in the said contract which contains a procuratory of reſignation and ſeverall proviſions and other clauſes therein And is dated the twelvth twenty eight and twenty nynth dayes of June I^{m} and vij^{c} years Togither with the ratification of the said contract paſt in the Generall Convention of Burrows holden at Edinburgh the ninth day of July laſt bypaſt.

Edinb: 31 Jan^{ry} 1701.

The within Liſt & Acts of Ratificaᵒnes read & paſt in Parliament.

MARCHMONT Cancellar. I. P. D. P.]

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[LIST of Acts past in Parliament for holding yearly Fairs and weekly Mercats.

Act in favors of Ann Dutches of Hamilton changeing and altering three fairs holden at her Burgh of Hamilton in the ſhire of Lanerk one from the twenty eight day of June to the laſt Thurſday thereof another from the seventh day of Auguſt to the second Thurſday of the ſame, and the third from the eleventh day of November to the second Thurſday of the ſaid moneth yearly, authorizeing her Grace her heirs and ſucceſsors and the Baillies of the said Burgh of Hamilton and their ſucceſsors in office to keep in all time comeing ꝑe forſd fairs upon the said several dayes to which ꝑe ſame are hereby changed.

Act in favors of Ann Dutches of Buccleugh and James Earl of Dalkeith her son authorizeing them their heirs and ſucceſsors to keep two fairs at their Town of Langholm lying in the parochine of Staple Gordon of old within the shire of Dumfreis and now by annexation within the shire of Roxburgh the one upon the laſt Tueſday of May, and the other upon the firſt Tuesday of September yearly.

Act in favors of Archbald Earl of Argyll granting to him his heires and ſucceſsors the priviledge of keeping two fairs at the Kirktoun of Dollar belonging to him lying within the Lordship of Campbell and Shirreſdom of one upon the eight day of June and the other upon the eight day of October yearly.

Act in favors of James Earl of Linlithgow and Callendar his heirs and succeſsors authorizeing them to keep two fairs at his Burgh of Falkirk in the shire of Stirling one upon the twenty day of January and the other upon the tenth day of September yearly.

Act authorizeing James Earl of Southeſk his heirs & succeſsors to keep two fairs at the Kirktoun of Kennell pertaining to him within the shire of Forfar, one upon the third Wednesday after Whitsunday yearly, and the other upon the second Wednesday after Lambmaſs yearly, each of the sd fairs to continue four dayes, with a weekly mercat at the sd place every Wednesday.

Act in favors of James Viſcount of Seafield his heirs & succeſsors granting priviledge to them to keep two fairs at the muir of Keith belonging to him within the shire of Bamff, one thereof upon the third Tuesday of May to be called James's fair, and the other upon the laſt Tuesday of November to be called Andersmaſs fair yearly.

Act in favors of Sir Coline Campbell of Aberruchill authorizeing him his heirs and succeſsors to keep a fair at his Burgh of Barony of Inueruchill within the Sherifdom of Perth upon the firſt Tueſday of May yearly.

Act in favors of Sir Archbald Stuart of Blackhall granting to him his heirs and succeſsors the priviledge of keeping a fair at the old kirk of Inuerkip pertaining to him in the shire of Renfrew upon the first Tuesday of January yearly.

Act granting priviledge to Sir Patrick Murray of Ochtertyre his heirs and succeſsors of keeping a fair at the muir of Laggan belonging to him, and lying near the Bridge of Turrat in the parochine of Monievaird and Sherriffdom of Perth upon the third Tuesday of May yearly to be called the fair of Turrat.

Act in favors of Sir James Abercrombie of Birkinboig authorizeing him his heirs and succeſsors to keep two fairs upon his lands of Breoch lying within the parochine of Fordyce and Sheriffdom of Bamff one therof upon the first Tuesday of June, and the other upon the twenty second day of August yearly.

Act in favors of Alexander Stuart of Torrens authorizeing a weekly mercat to be keept by him his airs and succeſsors at the Kirktoun of Kilbryde pertaining to him lying within the shire of Lanerk upon each Thurſday in the moneth of May yearly and a publict fair to be keept at the said place upon the

Act granting to James Moir of Stoniewood his heirs and succeſsors the priviledge of keeping the publict fairs following at the Greenburn on his lands of Stonywood lying in the shire of Aberdeen one upon the second Thursday of June to be called Hagg fair and another upon the laſt Thursday of July to be called Bathie fair yearly in all time comeing.

Act in favors of George Winraham of Eymouth authorizeing him his heirs and succeſsors to keep two fairs at his toun of Eymouth within the shire of Berwick one upon the firſt Thurſday of June and the other upon the firſt Thurſday of November yearly each of them to continue two dayes: and alſo a weekly mercat at the said toun upon each Friday in all time comeing.

Act in favors of Alexander Gibſon of Durie changeing & altering three fairs holden at the toun of Leven pertaining to him in the shire of Fyfe one from the thirteenth day of December to the twenty second of January: another from the fifeteenth of March to the twenty third day of April; and the third from ye fourteenth of May to the seventeenth day of June yearly: authorizeing him his heirs and succeſsors to keep the said fairs at ye forsaid place and times in all time comeing; and appointing the weekly mercat holden at the said toun upon Thurſday to be changed and in all time hereafter keept on each Wednesday And also granting the priviledge to the said Alexr and his forsaids of keeping another fair at the said place upon the nyneteenth day of July yearly.

Act in favors of Mr Alexander Abercrombie of Tullibodie Advocat authorizeing him his heirs and succeſsors to keep two fairs at his toun of Tullibody in the shire of Clackmannan one upon the firſt Wedneſday of June and the other upon the twenty fourth day of September yearly; and a weekly mercat at the said toun upon each Tuesday.

Act authorizeing John Cunningham of Ballandalloch his heirs and succeſsors to keep a weekly mercat at his Clachan of Balfron in the shire of Stirling upon every Tuesday, and two publict fairs at the said place one upon the third Tuesday of May and the other upon the second Tuesday of October yearly.

Act granting to John Farquharſon of Invercauld his heirs & succeſsors the priviledge of keeping two fairs at the Milltoun of Invercauld belonging to him in the paroch of Kindrochit and shire of Aberdeen one therof to begin upon the second Tuesday of August and the other upon the twenty second day of September & each of them to continue three dayes yearly.

Act in favors of James Ramsay brother german to Mr David Ramſay of Lethintie, and his heirs and succeſsors authorizeing a publict fair to be keept by them at his Newtoun of Blair Gourie in the Stormond lying within ye Sherrifdom of Perth upon the Tuesday immediatly preceeding Michaelmaſs day yearly.

Act in favors of the Magistrats Toun Councill and Community of the Burgh of Air authorizeing ym and yr succeſsors in office for the use of the said Burgh to keep a publict fair thereat upon the first Tuesday of January and the four following dayes yearly.

Act authorizeing a publict fair to be keept at the Burgh of Dumfermling by the Magistrats and Toun Councill therof for ye uſe of the Community of the ſame upon the second Wednesday of January yearly.

With priviledge to the haill forenamed persons and their succeſsors forsaid of keeping in all time comeing ye seall yearly fairs and weekly mercats ãmenr for all kind of merchandise and uplifting and enjoying ye haill tolls cuſtomes and caſualities yrof and all opr advantadges uſed and wont.

Edinb: 31 Janry 1701.

THE within Liſt & Acts for faires & marcats read & granted in Parliament.

MARCHMONT Cancellar. I. P. D. P.]

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THE Committies appointed to meet to morrow at nine of the clock in the morning.

THE Lord Chancellor by order of His Majesties High Commiſsioner adjourned the Parliament till to morrow at ten of the clock.

MARCHMONT Cancellar. I. P. D. P.

Saturday February 1, 1701.

PRAYERS said Rolls called.

MINUTS of the last Sederunt read.

THE Lord Montgomry proteſted againſt the weikly mercat paſt yeſterday in favors of Alexander Stewart of Torrence.

Mr Robert Forbeſs in name of the Laird of Laithers proteſted againſt the Ratification paſt in favors of the Earle of Erroll.

SOME Warrands for Fairs and Mercats in favors of privat pairties read and granted.

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[ADDITIONAL Liſt of Acts paſt in Parliament for holding yearly Fairs and weekly Mercats.

Act in favors of John Earl of Loudoun granting to him his heirs and succeſsors the priviledge of keeping two Fairs at his Toun of Mauchline lying within the Shire of Air one to begin upon

the firſt Tueſday of May and the other upon the laſt Wednesday of January and each of them to continue two dayes yearly in all tyme comeing.

Act in favors of John Viſcount of Stair his heirs & succeſsors granting to them the priviledge of keeping two Fairs at his Burgh of Barony of Dalmellingtoun in the Shire of Air one to begin upon the second Tuesday of May and the other upon the first Tuesday of July yearly; and changeing and altering the Lambmaſs Fair and Hallow Fair formerly keept at the said Burgh from the dayes on which the same were before holden ordaining them in time to come to be holden by the Viſcount and his forsaids on the dayes following viz. the one therof to begin upon the third Tueſday of Auguſt and the other upon the laſt Tueſday of October and each of the said four Fairs to continue two dayes yearly Appointing alſo the weekly Mercat formerly holden at the said Burgh upon Munday to be in all time hereafter keept on each Tuesday.

Act granting to William Moriſon of Preſtoungrange his heirs and succeſsors the priviledge of keeping a publict Fair at Moriſons Haven which belongs to him within ye Shire of Haddingtoun upon the laſt Tuesday of September yearly and a weekly Mercat at the said place upon each Friday and another Fair upon his lands of Muirfort within the Shire of
upon the third Tuesday of September yearly with a weekly mercat there upon every Wednesday.

Act in favors of Thomas Forbes of Wattertoun granting to him his heirs and succeſsors the priviledge of keeping two Fairs at the Kirktoun of Ellon belonging to him and lying within the Shire of Aberdeen one upon the third Tueſday of February yearly to be called Valentine Fair and the other upon the firſt Tueſday of October yearly to be called James Fair.

Act in favors of John Forbes of Bonnakettle authorizeing him his airs and succeſsors to keep and hold two Fairs at his Toun of Bonnakettle within the Shire of Aberdeen one upon the third Tueſday of June to be called Thomas Fair and the other upon the third Tueſday of September yearly to be called Latter Mary Fair.

With power and priviledge to the several abovenamed perſons and their succeſsors forſd of keeping and holding in all time comeing the forſd yearly Fairs and weekly Mercats for all kind of merchandise and of uplifting and enjoying the haill tolls cuſtomes and caſualities thereof and all other liberties and advantadges used and wont.

Edinb: Febr 1, 1701.

The above & within Liſt of Faires & Marcats read & granted in Parliament.

MARCHMONT Cancellar. I. P. D. P.]

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MOVED that it be recommended to the Secretaries of State to preſent the Addreſs from the Eſtates of Parliament to his Majeſtie anent the buſsineſs of the Indian Company and ther Collony of Caledonia and the ſame agried to.

DECLARATION by the Earle of Mortoun preſented wherby for the cauſes therin mentioned he siſts further proceſs till the nixt Seſsion of Parliament in the action at his inſtance againſt the Officers of State read, and ordered to be marked in the Minuts of that proceſs.

MOVED that the proceſs at the inſtance of Leutennent Colł John Erſkine againſt the Counteſs of Kinkairdine to inſiſt for diſcuſsing her proteſt for remead of law takine againſt the decreit of ſale of the eſtate of Kinkairdine be remitted to be determined by the Lords of Seſsion ſummarly with a parliamentary power.

MOVED that conforme to the order of Parliament mentioned in the laſt dayes Minuts the Eſtates seperat and make election of three of each State for the Commiſsion of Parliament anent the Pole 1693 wherupon the Eſtates haveing seperat to ther uſeuall places returned and reported ther ſeaverall elections as followes viz. Of the eſtate of the Nobility the Earles of Lauderdaill Loudoun and Levin Of the eſtate of Barrons Sr Francis Scott of Thirleſtain Sr Alexander Monro of Beaicrofts and Patrick Murray of Livingſtoun Of the Commiſsioners for Burghs Sr Archbald Muir Mr James Hamilton and Sr William Hamilton.

THERAFTER the Act and Commiſsion to the perſones abovenamed anent the ſaid Pole 1693 again read, Moved that it be remitted to the ſaid Commiſsion to conſider the arrears dew to the diſbanded Officers of the Airmy and to examine how the fonds granted by the Parliament for the uſe of the Airmy hes bein diſpoſed on And alſe to conſider the project of land credit offered by Doctor Chamberland and make report of the ſaids particulars to the nixt Seſsion of Parliament; Alſo moved that the ſaid Commiſsion be firſt conſtitute and voted befor any new remits be offered to the ſame And the ſaid Act and Commiſsion being again read it was put to the vote Approve or not and carried Approve.

AGAIN moved that the Parliament remit the ſaid Proceſs at the inſtance of the ſaid Leutennent Colł Erſkine againſt the Counteſs of Kinkairdine to be diſcuſsed ſummarly by the Lords of Seſsion with a Parliamentary power Alſo moved that the proceſs at the inſtance of the Laird of Powrie againſt the Lord Gray and others being the lyke caice may alſo be remitted to be diſcuſed as aforſaid Lykewayes moved that the matter of the arrears and accompts of the fonds given for the uſe of the Airmy be remitted to the ſaid Commiſsion of Parliat in order to be conſidered and reported And a ſtate of a vote given in theranent and craved to be read and a debeat arriſeing which of the ſaid motions ſhould be preferred After much reaſoning it wes moved by order of his Mäties high Commiſsioner that the Act Salvo Jure ſhould be read.

WHERUPON the Duke of Hamilton proteſted that he hade bein interrupted in ſpeaking and offering the forſaid ſtate of the vote upon the propoſalls anent the arrears and fonds by the makeing and inſiſting in the ſaid motion anent Leutennent Colł Erſkines proceſs and the ſloping the reading of his ſtate of the vote anent the arrears and that the calling for the Act Salvo Jure was contrair to the Act of Parliament allowing frie reaſoning and voting in Parliament and therupon tooke Inſtruments.

THE Marquiſs of Tweddale, Earle Mariſhell, and Viſcount of Strathallan did alſo proteſt that they were in the lyke manner interrupted contrair to ther priviledge as Piers and Members of Parliament and therupon tooke Inſtruments.

THE Viſcount of Seafeild Lord Secretary proteſted that seing the remit of Leutennent Collonell Erſkines proceſs wes firſt tabled and ſpoke to by ſeaverall members And that he goeing on to ſecond the ſame and alſe to ſpeak to Powries proceſs which is in the ſame caice with Leut Colł Erſkines was interrupted by the propoſall of the arrears and lykewayes by offering a vote upon the ſaid propoſall befor it hade bein ſpoke to the ſame wes contrary to his priviledge as a Peer and Member of Parliament.

AFTER reading of the Act Salvo, the Viſcount of Seafeild renued his proteſt and took Inſtruments Wherupon the Duke of Hamilton did again take Inſtruments that the Viſcount of Seafeild hade entered his proteſt after the reading of the Act Salvo which wes againſt forme Which the Viſcount denying to be againſt forme proteſted in the contrary.

HIS Majeſties Theſaurer deput declaired that he haveing made a propoſall for remitting the proceſs at the inſtance of Leuten-

nent Coll Erſkine to the Seſsion and that befor the Parliament did ſeperat to choyſe the members of ther Commiſsion about the Pole 1693 which he underſtood to have bein granted But finding by ſome members of Parliat that the ſame was not acquieſced in, he after the report of the ſaid election and voting of the ſaid Act and Commiſsion renewed his propoſall and craved the ſame might be put to a queſtion Remit or not And after ſome reaſoning therupon and the vote being ready to be put was unduely interrupted by bringing in a propoſall anent the arrears and offering a ſtate of a vote upon it The ſaid Theſaurer depute proteſted that the offering of a new buſsineſs befor the other wes determined was ane incroachment upon his priviledge and the order of Parliament Wherupon he tooke Inſtruments.

THE Earle of Buchan adheared to the proteſt made by the Ld Theſaurer Dep^t^ and alſo tooke Inſtruments.

THEREAFTER the ſtate of the vote offered by Duke Hamilton anent the remit of the arrears and the ſonds given for ther payment was read viz. That it be remitted to the Commiſsion of Parliament preſently choſen to take tryall of all the ſonds laid on by the Parliament ſince the year 1693 incluſive and how the ſame have bein applyed and to report the ſame with the ſtate of the arrears as weill dew to the diſbanded Officers as to the preſent ſtanding Forces to the nixt Seſsion of this or any other Parliament: Alſo propoſed that the Act for renewing the Commiſsion of Juſticiary for the Highlands being once read and the ſaid matter moſt neceſsary and ſuch as can occaſion no debeat be firſt proceeded in and paſt And a vote being craved and ſtated theron It wes debeated which of the ſaids motions ſhould be firſt takine into conſideration.

AND therafter moved that for terminating the debeat the Queſtion ſhould be which of the two ſtates ſhall be allowed And this being alſo oppoſed his Majeſties high Commiſsioner did make the following Speech.

My Lords and Gentlemen,

I wes very deſireous that the little tyme that remains might be ſpent about good laws and ſome privat buſsineſs befor yow But when I ſaw debeats ariſe about the order & preference of ſome propoſalls and that yow were not lyke to come to a concluſion I called for the Act Salvo Jure and yet I did not inſiſt upon it but have hade patience theſe four or fyve hours to ſie if yow would diſpatch buſsineſs, But now it is lait and ſince yow have not ſo much as come to a vote what buſsineſs to begin at I muſt again call for that Act.

My Lords and Gentlemen,

I confeſs I promiſed in his Mäties name that yow ſhould have tyme for other buſsineſs befor yow and I appeall to the houſe if the tyme that hes bein ſpent about ſtateing of Queſtions and preference of buſsineſs might not if weill huſbanded have ſerved for this end I appeall to yow alſo if I have not indeavoured to my uttmoſt to make diſpatch for we have met every day for theſe ſeaverall weiks, and the Seſsions have bein much longer then uſewall and there were ſeaverall good lawes yeſterday got a firſt reading which might have paſsed this day, I am ſuire I intended ſincerely what I promiſed and I muſt put yow in mind that yow have now ſat above three moneths, The firſt two moneths were intirely beſtowed upon laws befor any thing wes offered in relation to the forces and ſupply, And I am ſuire yow and I both expected that all the buſsineſs then before yow might have bein ended in leſs then a moneth which hes bein allowed yow since, I have given yow all the tyme I can and if yow have not mannadged it weill eneugh it is not my fault, Yow moſt all be convinced that his Mäties affairs cannot allow us to ſit longer Seaverall important and good lawes are already paſsed and ſuch as are wanting of what wes deſigned may be overtakine at another tyme.

THERAFTER the Act Salvo Jure Cujuſlibet was again read voted and approven.

THE Act and Commiſsion anent the Pole 1693 and the Act Salvo Jure Cujuſlibet both touched by his Majeſties high Commiſsioner with the Scepter in the uſewall manner.

THE Lord Chancellor by order of His Majeſties High Commiſsioner adjurned the Parliament to meit at Edinburgh the firſt Tweſday of May nixt being the ſixth day of the ſaid moneth and declaired the ſame to be adjurned.

MARCHMONT Cancellar. I. P. D. P.

ACTS AND ORDERS OF THE COMMISSION OF PARLIAMENT FOR SETTLING THE COMMUNICATION OF TRADE, WITH SOME OTHER PAPERS THEREIN REFERRED TO.

M.DC.XCIX.—M.DCCI.

THE REGISTER OF THE COMMISSION OF PARLIAMENT for ſettleing the Communication of Trade betwixt the Burghs Royall and the Burghs of Regality Barony and other unfrie Traders in purſuance of the Act of Parliat 1698.

AT EDINBURGH the Tenth Day of January Im vjc Nynty nyne years.

IN the Commiſsion of Parliament for settleing the Communication of Trade.

SEDERUNT

The Earle of Marchmount Lord High Chancellour.	Sr James Scougill of Whythill, Senators of the Colledge of Juſtice.
The Earle of Loudoun.	
Sr Hugh Dalrymple of North Berwick Preſident of Seſsion.	Sr John Swintoun of that Ilk. Proveiſt of Edinburgh.
Sr James Stewart Lord Advocate.	Sr Robert Stewart of Allanbank.
Sr John Hamilton of Halcraig,	Sr Archbald Muire. Baillie William Menzies.

THE Lord Chancellour produced ane Commiſsion under the Great Seall to the perſones underwritten as ane Commiſsion of Parliament for settleing of the Communication of Trade betwixt the Burghs Royall and the Burghs of Regality and Barony in purſueance of the twentieth Act of the last Seſsion of this curent Parliament Which Commiſsion being read the ſame wes ordered to be recorded Of the which Commiſsion the tenor followes viz. GULIELMUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq defenſor Omnibus probis hominibus ſuis ad quos preſentes literæ noſtræ pervenerint ſalutem Quandoquidem Nos conſiderantes quod per viceſimum actum noviſsimæ Seſsionis currentis noſtri Parliamenti cui titulus est Actum de ſtabilienda communicatione commercii Nos cum aviſamento et conſenſu ordinum Parliamenti pro finiendis contraverſiis nuper exortis inter burga regalia ac burga regalitatis et baroniæ alioſq ratione communicationis commercii per actum Parliamenti anno milleſimo ſexcenteſimo nonageſimo tertio conſtitut Et ſpeciatim quoad ſubdiviſionem ſummæ decem librarum de centum libris in taxat rotulis burgorum regalium quæ per dictum actum declaratur proportionem eſse ſuſcipiendam per dicta burga regalitatis et baroniæ alioſq qui dict communicationis participes forent durañ ſpatio et annis contractus Magiſtri Joannis Buchan in dict acto mentionat Ac etiam quota eſset proportio dicti taxati rotuli in dict burga regalitatis et baroniæ alioſq qui de dict communicatione participes forent in poſterum imponenda Et quomodo eadem inter eos ſubdivideretur et proportionaretur Ratificavimus et Confirmavimus communicationem commercii per antedictum actum anno milleſimo ſexcenteſimo nonogeſimo tertio ordinatam Idq in terminis pro futuro declaratis per aliud actum dict ultimæ Seſsionis Parliamenti cui titulus eſt Actum pro regulando commercio inter burga regalia et burga baroniæ et pro terminandis dict contraverſiis Et ut dict communicatio magis efficax redderetur Nos cum aviſamento et conſenſu predict plenariam poteſtatem jus et commiſsionem conceſsimus talibus perſonis eorumve numero legitimo qui per nos ad effectum infra mentionat nominarentur Noveritis Igitur Nos in profecutione predict acti Parliament nominaſse ſicuti per preſentes fiaſce noſtras literas nominamus fideliſsimos et dilectiſsimos noſtros conſanguineos et conciliarios Patricium Comitem de Marchmount ſummum noſtrum Cancellarium antiqui regni noſtri Scotiæ Georgium Comitem de Melvill noſtri ſecreti conſilii Preſidem Jacobum Ducem de Queenſberry noſtri ſecreti ſigilli Cuſtodem Archibaldum Comitem de Argyle Joannem Comitem de Mar Robertum Comitem de Lothian Hugonem Comitem de Loudoun Gulielmum Comitem de Annandaill Joannem Dominum Carmichaell Dominum Hugonem Dalrymple Collegii Juſticiæ Preſidem Dominum Jacobum Stewart Advocatum noſtrum Adamum Cockburne de Ormiſtoun noſtrum Juſticiarie Clericum Dominum Joannem Hamiltoun de Hallcraig Dominum Jacobum Murray de Philliphaugh Dominum Jacobum Scougall de Whytehill Magiſtrum Franciſcum Montgomrie, Dominum Joannem Home de Blackader Dominum Archibaldum Murray de Blackbarrony Dominum Joannem Swintoun, Dominum Adamum Gordoun, Davidem Boyle de Kelburne, Præpoſitum burgi de Edinburgh, Dominum Robertum Stewart Dominum Archibaldum Muir, Dominum Jacobum Smallet, Præpoſitum civitatis de Aberdein, Gulielmum Menzies mercatorem Edinburgenſem, Joannem Anderſone de Dowhill et Joannem Muir nuper prepoſitum burgi de Air Commiſsionarios Parliamenti ad effectum ſubtus mentionat Dando et Concedendo ſicuti Nos secundum antedict Actum et Commiſsionem Parliamenti Damus et Concedimus plenam poteſtatem jus et commiſsionem antedictis perſonis quorum septem numerus erit legitimus ſedendi et conveniendi Edinburgi decimo die menſis Januarii proxime futuri et poſtea ejuſmodi temporibus et locis prout ipſi conſtituent Cum plenaria poteſtate dictis commiſsionariis quoad preterita expirationem contractus dicti

Magistri Joannis Buchan precedeñ considerandi quomodo dicī decem libræ una cum expensis dicī Magistri Joannis per dicī Commissionarios modificandis methodo maxime æquali subdividantur et proportionentur inter dicī burga regalitatis et baroniæ aliosq; commercium illicite agentes tam pro parte eorum qui illicite commercium agent qui beneficium dictæ communicationis receperunt quam pro parte talium qui idem non receperunt ut illi pro spatio antedicto plenarie liberentur et exonerentur de omni periculo non liberi commercii Et subdividendi eademq; conformiter proportionandi Et etiam considerandi pro anno post expirationem contractus dicī Magistri Joannis Buchan usq; ad terminum Sti Petri ad vincula ultimo elapsū Et etiam in posterum quota proportio dicī taxati rotuli centum librarum burgorum regalium super non liberum commercium in dicī regno agentes imponatur Et subdividendi eademq; proportionandi super dict burga regalitatis et baroniæ aliosq; qui acceperunt seu acceptabunt et recipient beneficium dictæ communicationis prout æquum ipsis videbitur Et dictis Commissionariis per presentes prouti per dictum actum parliamenti potestas conceditur omnesque personas interesse habentes coram se citandi et vocandi omnemq; inquisitionem in premissis necessariam faciendi, testes citandi ac diligentias necessarias in eundem effectum emittendi, declarañ in terminis prædicti acti eorum sententias et decreta sua pro adæquando et dividendo modo prædicto vigorem decreti parliamenti habitura Et literas omnemq; aliam executionem tanquam contra burga regalia desuper prout congruit dirigendam esse In cujus Rei Testimoniam presentibus magnum Sigillum nostrum appendi precepimus Apud aulam nostram de Kensingtoun vigesimo die mensis Decembris anno Domini millesimo sexcentesimo nonagesimo octavo et anno regni nostri decimo Per Signaturam manu S. D. N. Regis suprasignatam. Written to the great Seall and regrat the nynth day of January 1699 Sic subr Dun. Ronald dpt Sealled at Edinburgh the nynth day of January 1699 Sic subr A. Home.

CONFORME wherunto the Lord Chancellour did swear the oath of alleadgeance to his Majestie King William and signed the same with the assureance And therefter did administrate the said oath of alleadgeance to the saids other persones above named marked in the awrine Sederunt who did all swear and signe the same with the assureance and gave ther oaths de fideli and therupon were admitted Members of the Commissions.

James Hamilton one of the prinll Clerks of Sessions produced ane deputation granted to him by the Earle of Selkirk Lord Reger to be Clerk to this Commissions which was read and ordered to be recorded Of the which Commissions the tenor followes Be it knowen to all men by thir presents Us Chairles Earle of Selkirk &c. Clerk to his Majesties Counsills Registers and Rolls Forasmuch as by the twentieth Act of the seaventh Session of his Majesties current Parliament entituled Act for settleing the Communication of Trade the Kings Majestie with advyse and consent of the Estates of Parliament does therby give full Power Warrand and Commissions to such persones and quorum of them as shall be nominate by his Majestie to meit and convein at Edinburgh the day of and therefter at such tymes and places as they themselves shall appoynt With full power to the saids Commissioners to consider about the subdivision of the ten pound of the hundred pound of the taxt roll of the Burghs Royall declaired by ane former Act of Parliament in anno Im vjc nynty three to be the proportion to be undertakine by the Burghs of Regality Barrony and others who were to partake of the Communication of Trade and that as to the bygones therof due preceiding the expiration of Mr John Buchans contract and how the said ten pounds together with Mr Johns expenses as it shall be modified by the saids Commissioners may be most equally subdivided and proportioned amongst the said Burghs of Regality Barrony and other unfrie traders alse weill for the pairt of such unfrie traders as have got the benefite of the said Communication as for the pairt of such as have not got it That they for the space forsaid may be fully liberate of all hazard of unfrie trading and to subdivide and proportione the same accordingly As lykewayes to consider for the year since the expiration of Mr John Buchans contract to Lambeds last by past As also for heirefter what quota or proportion of the said taxt roll of ane hundred pounds of the Burghs Royall should be laid upon the unfrie traders of this Kingdome and to subdivid and proportion the samen amongst the saids Burghs of Regality Barrony and others who have got or shall accept and get the benefit of the said Communication as they shall find just And the sds Commissioners are therby impowered to call all pairties haveing intereft befor them and to take tryall and to ishue out dilligences for that effect and declairing ther decreits and sentances shall have the force of ane decreit of Parliament And that letters and execution shall pass therupon in forme as effeirs as the said Act of Parliament in itself at more length proports And it being necessary that we should appoynt ane fit and qualified persone to be Clerk to the sd Commission to attend and serve in the same And haveing knowledge and experience of the fitness ability and good qualificationes of James Hamiltoun one of the prinll Clerks of Session Therfor witt ye us to have made nominate and appoynted lykeas we by thir pūts makes nominats and appoynts the said James Hamiltoun dureing our pleasure allennarly to be Clerk to the said Commission of Parliament appoynted for settleing the communication of Trade for all the ends and purposes at length mentr in the forsaid Act With full power to him to use and exerce the forsaid office dureing the space forsaid in and by all things necessar and usewall in the lyke caices And to extract & signe all acts dilligences decreits and other orders or sentances to be pronunced by the said Commission And to uplift and receave the emoluments and casualities due to the said office of clerkship And generally all and sundrie other things necessar to doe theranent alse fully and friely in all respects as any other Clerk of Commissiones of Parliament does or may lawfully doe in the lyke caices Heirby desyreing the Ryght Honourable Members of the said Commission nominat or to be nominate by his Majestie to admit & receave the said James Hamiltoun to be Clerk to the said Commission in the usewall forme consenting for the more securety that thir presents be insert & regrat in the Books of Counsill and Session or in the Books of the said Commission of Parliament or any others competent therin to remain for conservation And constituts for that effect our prors &c. In witness q'of we have subt thir pūts (wrine by David Craigie writer in Edinburgh) At Loo the eightein day of October Im vjc nynty eight years Sic subscribitur Selkirk Cl: Regtri.

AND conforme therunto the said James Hamiltoun did swear the oath of alleadgeance to his Majestie King William and signed the same with the assureance and gave his oath de fideli and wes therupon admitted Clerk to the Commission.

ORDERED that a Proclamation be ishued out intimateing to the Burghs Royall Regalities Baronies and others concerned that his Majestie hes sent down ane Commission in pursueance of the said Act of Parliament for regulating the communication of Trade and dividing and proportioning the ten pound of the hundred pound of the burrowes taxt roll and advertiseing all the burrowes royall and of regalities barronies and others who are to partake of the communication of Trade that they may compeir befor the Commission on the dayes rexive to be therin mentioned and give in ther propofalls claimes and overtures as they are or shall find themselves concerned And the Commission recommends to his Majesties Advocate to draw the Proclamation and that the Commission meit to morrow at twelve a clock to signe the same.

RESOLVED that the Commission will proceid and determine in the affairs therby remitted to them with all dilligence and in

order therunto that they will meit once every weik viz. on Munday at three a clock in the efternoon weikly to bring the ſame to a concluſione alſe ſoon as poſsible.

THE Commiſsion adjurnes till to morrow at twelve a clock at noon.

Sic ſubr MARCHMONT Cancellar. I. P. C.

AT EDINBURGH Jan. 11, 1699.

IN the ſaid Commiſsion of Parliat for Communication of Trade.

SEDERUNT.

The Lord Carmichaell.	Lord Whytehill.
Sr Heugh Dalrymple Preſident of the Seſsion.	Sir Robert Stewart.
	Sir Archbald Muir.
Lord Advocate.	Sir James Smallot.
Lord Halcraig.	Baillie William Menzies.

IN regaird of my Lord Chancellours abſence the Commiſsion elected Sir Heugh Dalrymple to preceid for this Sederunt.

THE Lord Carmichaell did ſwear the oath of alleadgeance to his Majeſtie King William and ſigned the ſame with the aſsureance and took the oath de fideli and was therupon admitted a member of the Commiſsion conforme to the Kings nominatione.

THE Lord Advocate produced the draught of ane Act intimating to the ſeverall burghs royall and burghs of regality and barronie to attend the Commiſsion at the ſeverall dyets and for the ends and purpoſes therin mentioned And the ſame being twiſe read after ſome amendments made therupon it was agried to and ſigned and ordered to be immediatly proclaimed and publiſhed And that the Soliciter diſpatch coppies therof to the effect the ſame may be publiſhed at the mercate croces of the ſeverall head burghs of the ſhyres of the Kingdome Of the which Act the tenor followes

AT EDINBURGH the eleventh day of January Im vjc nynty nyne years The Commiſsioners nominate and appoynted by his Mãtie for to terminate and ſettle the differences betwixt the Burghs Royall and the Burghs of Regality and Barrony and other unfrie Traders on the accompt of the communication of trade as weill for bygones as in tyme comeing conforme to the twentieth Act of the laſt Seſsion of Parliament intituled Act for ſettleing the Communication of Trade being now met at Edinburgh and purpoſed to proceid in the ſd matter by virtue of the ſaid Commiſsion have thought fit and doe heirby appoynt that a publict and generall intimation be made to the ſaids Burghs Royall and alſe to the ſaids Burghs of Regality and Barrony and all other unfrie Traders that may be concerned in the premiſses that they by themselves or ther Commiſsioners may attend the ſaid Commiſsion and the meittings therof at Edinburgh at the dayes following with continuation of dayes viz. The Burghs Royall and Burghs of Regality and Barrony and other unfrie Traders within the Shyres of Mid Eaſt and Weſt Lotheans The Shyres of Berwick Roxburgh Selkirk Peibles Lanerk Renfrew and Sterling betwixt and the twenty third day of January inſtant And theſe within the haill other Shyres on this ſyde of Spay betwixt and the thirteenth day of February nixt to come And theſe in the whole oyr Shyres of the Kingdome except Orknay and Zetland betwixt and the laſt day of Febry nixt to come And laſtly theſe in Orknay and Zetland betwixt and the twentieth day of March nixt to come To the effect they may informe treat anſwer and object before the ſaid Commiſsioners as they ſhall judge moſt expedient for cleiring and deciding upon ther reẽive intereſts With certification that whither the forſd pairties concerned compeir or not the ſaid Commiſsioners will proceid to decide and determine finally in the ſaid matters conforme to the powers given to them as they ſhall ſie cauſe And the ſd Commiſsioners ordain theſe preſents to be printed and publiſhed at the mercate croce of Edinburgh and the mercate croces of the head Burghs of all the ſaids ſeverall Shyres with all dilligence that none pretend ignorance Sic ſubſcribitur Hew Dalrymple Ja. Steuart J. Hamiltone Ja: Scougall Ja: Smollett R. Stewart Wm Mcinzeis Ard: Mure.

ORDERED that the twentieth Act of the laſt Seſsion of Parliament intituled Act for settleing the Communication of Trade be alſo printed with the ſaid Act of the Commiſsion.

THE Commiſsion adjurned ther meitting whill Munday nixt at three a clock in the efternoon.

Sic ſubſcribitur HEW DALRYMPLE. I. P. C.

AT EDINBURGH Feb. 2, 1699.

IN the ſaid Commiſsion of Parliament.

SEDERUNT.

The Lord Chancellour.	Sr Archbald Muire.
The Earle of Lothean.	The Laird of Kelburne.
Lord Advocate.	Sir James Smallet.
Lord Halcraig.	John Anderſone of Dowhill.
Sir Robert Stewart.	William Menzies.

MINUTS of the laſt Sederunt read.

THE Earle of Lothean, the Laird of Kelburne and John Anderſone of Dowhill did ſwear the oath of alleadgeance to his Majeſtie King William and ſigned the ſame with the aſsureance and tooke the oath de fideli and were therupon admitted Members of the Commiſsion conforme to the Kings nomination.

THE Burghs Royall and Burghs of Regality & Barrony and other unfrie traders within the Shyres of Mid Eaſt and Weſt Lotheans, the Shyres of Berwick Roxburgh Selkirk Peibles Lanerk Renfrew and Stirling who were by the edictall proclamation appoynted to attend the Commiſsion upon the twenty third day of January laſt with continuation of dayes being called by ane macer none of them did compeir except Robert Black for the toun of Doune and Alexander Findlyſone for the toun of Paiſley who not haveing ſpẽall Commiſsiones from the ſaids places they were ordered to acquaint the inhabitants of the ſaids Burghs to ſend perſones ſufficiently authorized and inſtructed againſt the thirteinth day of February inſtant to treat in the termes of the ſaid proclamation.

ANE Petition being preſented by Mr John Buchan agent for the Royall Burrowes repreſenting that he had advanced great ſowmes of money for the unfrie traders and creaveing pt the Commiſsion would take ſuch effectuall meanes as might operat to his releif therof Wherupon the Commiſsion did remit to the Duke of Queenſberry the Earle of Argyle Lothean and Loudoun, Lord Carmichaell, Lord Preſident of the Seſsion, Lo. Advocate and Lord Halcraig, Sr John Swintoun, the Laird of Kelburne, the Proveiſt of Edinburgh, Sir Archbald Muire, Sir James Smallet and John Anderſone of Dowhill as a Committie to conſider the forſd petition with Mr John's accompt relative therto and to heir him and the other perſones concerned upon ſuch propoſalls as ſhall be offered for his reimburſement of the ſowmes which he hes advanced on the accompt forſaid and alſe to hear the Burghs of Regality and Barrony and other unfrie traders on the ſeverall propoſalls and overtures to be made by them and to report ther opinion anent the ſaids particulars from tyme to tyme to the Commiſsion and appoynted any three of the perſones above

named to be a quorum there being at leaſt one noblenan or barrone and one of the burrowes preſent at each Sederunt And appointed ther firſt meitting to be on Munday nixt at ten a clock in the forenoon in the laigh toun counſill houſe and from thence to adjurne themſelves from tyme to tyme as they ſhould ſie cauſe.

.....

[TO the Right Hono^{ll} the Lords and others of the Commiſsion of Parlia^{t} for setleing the unfree Trade,

The Supplica^{o}ne of Mr John Buchan Agent to the Royall Burrowes.

Humbly Sheweth,

THAT where the Petitioner haveing undertaken to releive the Royall Burrowes of ten pund of their taxt roll for ane tack sett by them to him of the unfree Trade which tack was ratified in Parliament & in proſecution therof the Supplicant did intent ſeall proceses and therupon did obtain decreits for considerable sc.umes But being alwayes so tender of the peace and quyet of the Country that he choised raither to treat & transact with the persones lyable in a freindly mainer then to take the advantages of law Yet notwithstanding all these means proved ineffectuall so that the Parliament in the last Seſsion thereof found it just to interpoſe their authority towards the Petitioner his payment and satisfactione And now the execution therof being put in your Lōps hands It is humbly represented for the Supplicant that his present circumstances are so preſsing and heavie that nothing but your Lōps caire and concerne for ane speedy releiff can preserve him and his family from utter ruine considering that he is at this moment upwards of fourscore ten thousand pound of advance upon the unfree Trade conforme to ane accompt heirwith preſented wherby it will easily appear to your Lōps what neceſsitous condition he is under.

May it therfore pleas your Lōps to take the premiſs to your consideration and take ſuch effectuall means as may operat the Petitioners releiff and extricat him from the heavie burden which he and his poor family are exposed unto And your Petitioner shall ever pray.

Edinb: 2^{d} Feb^{ry} 1699.

THE Commiſsion of Parliament for settleing the Communication of Trade haveing heard the within wṫin Petition read in ther preſence They doe remit to the Duke of Queinſberry Earle of Argyle, Earles of Loathean and Loudoun, Lord Carmichaell, Lord Preſident of the Seſsion, Lord Advocate, Lord Halcraig, Sr John Swintoun, the Laird of Kellburne, the Proveiſt of Edinburgh, Sr Archbald Muir, Sr James Smallot and John Anderſone of Dowhill as a Committie to conſider the forſaid Petition with Mr John Buchans accompt relative therto and to hear him and the other perſones concerned upon ſuch propoſalls as ſhall be offered for his reimburſement of the ſoumes which he hes advanced on the accompt forſaid And alſe to hear the Burghs of Regality and Barrony and other unfrie Traders on the ſeaverall propoſalls and overtures to be made by them and to report ther opinion anent the saids particulars from tyme to tyme to the Commiſsion And appoynts any three of the persones abovenamed to be a quorum ther being at leaſt one Nobleman or Barrone and one of the Burrowes preſent at each Sederunt And appoynts ther firſt meiting to be on Munday nixt at ten a clock in the forenoon in the Laigh Toun Counſell Houſe and from thence to adjurne themſelves from tyme to tyme as they ſhall ſie cauſe.

MARCHMONT Cancellar. I. P. C.]

.....

THE Commiſsion adjurnes till Munday nixt at three a clock in the eſternoon.

MARCHMONT Cancellar. I. P. C.

[IN the Committie, 8 Feb^{ry} 1699.

The Lord Boyle.	Sr James Smallot.
Proveiſt of Ed^{r}.	John Anderſone of Dowhill.

THE Committie haveing conſidered Mr John Buchans petition with ane accompt relative therto they delyvered the accompt to Dowhill to conſider and examine the ſame and report his opinion theranent againſt ther nixt meiting.

THE Committie alſo deſyres Mr Buchan to give in a ſkem of the Burghs of Regality and Barrony within the Kingdome concerned in the frie trade with the quotas to be put on the scall places for ſatisfieing Mr Buchans claime as to bygones.

THE Committie adjurnes till Saturday at six at night.]

EDINBURGH Feb. 13, 1699.

IN the ſaid Commiſsion.

SEDERUNT.

The Lord Chancellour.	Lo, Whytehill.
Duke of Queenſberry.	Mr Francis Montgomrie.
Earle of Argyle.	Sir John Swintoun.
Earle of Marr.	Sir Robert Stewart.
E, of Loudoun.	Sir James Smallot.
E, of Annandaill.	The Proveiſt of Edinburgh.
Lo, Carmichaell.	John Anderſone of Dowhill.
Lo, Boyll.	John Muir lait Proveiſt of Air.
Lo, Philliphaugh.	

THE Duke of Queenſberry, Earle of Argyle, Earle of Mar, Earle of Annandaill, Lord Philliphaugh, Mr Francis Montgomrie and John Muir Proveiſt of Air did swear the oath of alleadgeance and ſigne the ſame with the aſsureance and gave ther oath de fideli and were admitted Members of the Commiſsion.

THE Earle of Annandaill, the Lord Philliphaugh, the Lo, Whytehill and Mr Francis Montgomrie added to the Committie formerly named.

THE Commiſsion recommended to the ſaid Committie to meit on the ſubject of the laſt reference and to bring the ſame to ſome Reſolution with all expedition to be reported to the Commiſsion againſt Weddinſday nixt.

THE Commiſsion adjurnes till Weddinſday nixt at three a clock in the eſternoon.

MARCHMONT Cancellar. I. P. C.

EDINBURGH Feb. 15, 1699.

SEDERUNT.

Lord Chancellour.	Sr James Smallot.
Lord Boyll.	The Proveiſt of Edinburgh.
Lord Advocate.	John Anderſone of Dowhill.
Lo. Halcraig.	John Muir Proveiſt of Air.

THE Lord Boyll repreſented that the Committie had made ſome progreſs in the matter remitted to them but they deſyred ſome farder tyme to conſer with the Royall Burrowes anent the proportioning and ſtaiting the ſowmes contained in Mr John Buchans accompt.

ORDERED that the Committie meit to morrow at nyne a clock in the foirnoon, and the Commiſsion after the Counſill.

MARCHMONT Cancellar. I. P. C.

[IN the Committie 16 Febʳʸ 1699.

SEDERUNT.

Sʳ John Suintone.	Sʳ Ja: Smallot.
The Proveſt of Edʳ.	Joⁿ Anderſone of Douhill.

Sir John Suintone choſen Preces of this Sederunt.

Douhill produced Mʳ Joⁿ Buchans accompt qᶜʰ conſiſts of the proportione of the ten pound of the taxt roll for the Burgh of Barronie & Regality depurſed by him from Lambas 1692 incluſive to Lambas 1697 alſo inclusive with intereſt charged for each termes advance and the proportione of the miſsive deus effeirand to the ten pound extending the above articles to 5413 lb: 14: 8: Sterlin As alſo the accompt containes the 3 : 10 : 0 allowed Mʳ Buchane for his expenſ by Act of Councill wᵗ the intereſt pʳof from terme to terme and a proportione of the miſsive deus effeiring pʳto extending the expenſ wᵗ the intereſt & miſsive deus to 1894 : 6 : 2 : ⅓ ſterline Douhill did report that the ſd accompt runs for 5 year & a qʳter qᶜʰ is a qʳter more pⁿ Mʳ Buchans contract, He alſo reported that he had calculate the forſd accompt & was of opinion the ſame was right calculate bot remitted the articles of the accompt it ſelfe to be conſidered by the Committie.

THE Committie haveing revyſed & conſidered the above accompt are of opinion the ſame is right calculate and that Mʳ Buchane ought to be payed of the ten pound wᵗ the intereſt pʳof & proportione of the miſsive deus extending to the above ſoume of 5413 lb : 14 : 8: d: ſterline and pᵗ the ſaid ſoume ſhould be proportioned & devyded among the Brughs of Barrony Regality & other unfrie traders conforme to a taxt roll to be made up And as to Mʳ Buchans expenſ wᵗ the intereſt pʳof & miſsive deus effeirand pʳto extending to 1894 lb : 6 : 2 : ⅓ ſterline In regaird by the Act of Parliaᵗ 1698 the ſame is to be conſidered & modified by the Commiſsione the Committie doe remit both the quantitie of the ſd expenſ & the way & methode how the ſame is to be payed to the determinaᵒne of the Commiſſione qᶜʰ they are of opinione ought to be in the termes of the ſd Act of Parliāt.

John Swinton. Ja: Smollet. Jo: Anderſon.

MINUTS of the Committie for Trade 24 Febʳʸ 1699.

E, Loudoun.	Lo, Proveiſt of Edʳ.
My Lo, Boyle.	Sʳ Ja Smallot.
Sʳ John Swintoun.	John Anderſon of Dowhill.

The E, Loudoun choſen Preſes.

MINUTS of the former Sederunt read and ordered that the Reſoluᵒn of the former meiting be altered as to the 2 months ceſs payaᵇˡ at Lamb: 1697 in reſpect the ſd 2 moneths ceſs are not within Mʳ John Buchans contract but the ſame expyred at Whyt 97.

THER was ane peaper given in by the Lo. Boyle and the ſame was read & ſcall debeats made pʳanent.

THE Clerk was ordered to give copies pʳof to the Royall Burrowes or any others who ſhould call for the ſame.

THE nixt meiting of the Committie to be in the Laigh toun Counſill houſe on Munday nixt at ten of clock foornoon.

LOUDOUN P.]

IN the Commiſsion for Trade Mar. 7, 1699.

SEDERUNT.

The Lord Chancellour.	Lord Hallcraig.
The Earle of Marr.	Sir John Swintoun.
The Earle of Loudoun.	Sir Adam.Gordoun.
The Earle of Annandaill.	The Proveiſt of Edinburgh.
The Lord Boyll.	John Anderſone of Dowhill.
The Lord Advocate.	

Sir Adam Gordoun admitted a member of the Commiſsion haveing ſworne the oath of alleadgeance & ſubſcrived the ſame with the aſsureance and given his oath de fideli.

MINUTS of the laſt Sederunt read.

THE Lord Boyll did report to the Commiſsion that the Committie had met ſeverall tymes upon Mʳ John Buchans accompt which he produced and that the ſaid accompt conſiſts of two pages the one wherof is anent the ten pound of the taxt roll laid upon the Burghs of Regality Barrony and other unfrie Traders with the interest and miſsive dues due therupon extending for the fyve years ſpace of Mʳ John Buchans contract viz. from Lambeſs Iᵐ vjᶜ nynty two to Whytſunday Iᵐ vjᶜ nynty ſeaven years incluſive to the ſowme of fyve thouſand one hundred and nynty ſeaven pound nyne ſhillings eight pennies and a third pairt of a penny Sterling money which ſowme the Committie were of opinion ſhould be proportioned amongſt the unfrie Traders and the other page of the accompt being the three pound ten ſhilling for Mʳ Johns expenſes with the miſsive dues and intereſt due therupon extends to the ſowme of one thouſand eight hundred and eightein pound twelve ſhilling fyve a third pairt pennies Sterling The Committie did leave the ſaid accompt of expenſes to be conſidered by the Commiſsion by whom the ſame is to be payed whither by the unfrie Traders or the Royall Burrowes.

IT being propoſed that the ſaid accompt of expenſes ſhould be firſt takine into conſideration And it being debeated whither the ſame ſhould be payed by the Royall Burrowes or unfrie Traders the ſame wes put to the vote and it carried that the Royall Burrowes ought to pay the ſaid expence reſerveing them ther releif therof out of the fynes of ther inhabitants who have bein guilty of traffecking with unfriemen dureing the ſpace of Mʳ John Buchan's contract as accords.

THEREFTER it was put to the vote to approve that pairt of the Report of the Committie anent Mʳ John Buchan's accompt in relation to the ten pound of the taxt roll due by the Burghs of Regality Barrony and other unfrie Traders extending to the above ſowme And the ſame being put to the vote Approve or not carried Approve And it was remitted to the Committie formerly named to proportion the ſaid ſowme amongſt the unfrie Traders and to hear all pairties objectiones and anſwers theranent And that the Committie report ther opinion againſt the nixt Sederunt of the Commiſsion.

. . . . . .

[INTERLOQUITOR in favours of Mʳ John Buchan.

Edinburgh 7th March 1699.

THE Commiſsion of Parliament for ſettleing the Communication of Trade haveing conſidered the Petition given in to them by Mʳ John Buchan Agent to the Royall Burrowes with the remit to the Committie and ther report theranent and Mʳ John Buchans accompt relative therto They find that the Burghs of Regality Barronie and other unfrie Tradders are lyable to Mʳ John Buchan for the ten pounds of the hundred pounds of the taxt roll laid upon the Royall Burrowes conforme to the contract ratified in the Parliament Iᵐ vjᶜ nynty three and that for the fyve years ſpace mentioned in the ſaid contract viz. from Lambes 1692 to Whytſunday 1697 incluſive extending to fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling eight pennies and one third pairt of a pennie Sterling conforme to the accompt mentioned in the ſaid Report And remits to the Committie formerly named to conſider how the ſaid ſowme is to

he proportioned and divided amongſt the unfrie Tradders And to hear all pairties objectiones and anſwers theranent and to report the ſamen againſt the nixt Sederunt of the Commiſsion And alſe finds the Burghs Royall lyable in payment to Mr Buchan of the expenſes depurſed by him in profecuteing of the said contract againſt the unfrie Tradders accordeing as the Lords & others of the Commiſsione ſhall modifie the ſds expenſes And ordaines the Royall Burrowes to pay the ſame conforme to ther proportiones mentioned in ther taxt roll And aſsoylzies the burghs of Regality Barrony and other unfrie Tradders from the said expence reſerveing to the Burghs Royal ther releif of the forſaid expence out of the fynes due by theſe of ther inhabitants who have bein guilty of loadning and livering at unfrie ports and have bein pairtners with unfrie men in ſhips and loadning contrair to the Act of the Royall Burrowes in the year 1691 which was aſsigned to the said Mr John Buchan by his said contract in the year 1692 and ratified in the Parliament 1693 and that dureing the ſpace of the forſaid contract as accords of the law.

MARCHMONT Cancellar. I. P. C.]

[ACCOMPT OF CESS AND MISSIVE DUES.

	Lb. S. D.	Lb.	Sh.	D.
Imprimis at Lambas 1692, 2½ months	250 : 00 : 00			
ãrents pr of to Cand. 99, retention allowed	090 : 18 : 09			
		0340	18	09
Item at Cand. 93, 2½ moneths ãrents pr of	250 : 00 : 00 083 : 08 : 09			
		0333	08	09
It. at Wit. 93, 3½ moneths ãrent pr of	350 : 00 : 00 111 : 11 : 03			
		0461	11	03
It. at Lamb 93, 2½ moneths ãrents pr of	250 : 00 : 00 075 : 18 : 09			
		0325	18	09
It. at Mart. 93, 3½ moneths ãrents pr of	350 : 00 : 00 101 : 01 : 03			
		0451	01	03
It. at Cand 94, 2½ moneths ãrents pr of	250 : 00 : 00 068 : 08 : 09			
		0318	08	09
It. at Wit. 94, 3½ moneths ãrents pr of	350 : 00 : 00 090 : 11 : 03			
		0440	11	03
It. at Lamb 94, 2½ moneths ãrents pr of	250 : 00 : 00 060 : 18 : 09			
		0310	18	09
It. at Lamb 95, 3 moneths ãrents pr of	300 : 00 : 00 055 : 17 : 06			
		0355	17	06
It. at Cand 96, 3 moneths ãrents pr of	300 : 00 : 00 048 : 07 : 06			
		0348	07	06
It. at Lamb 96, 3 moneths ãrents pr of	300 : 00 : 00 040 : 02 : 06			
		0340	02	06
It. at Mert. 96, 2 moneths ãrents pr of	200 : 00 : 00 023 : 15 : 00			
		0223	15	00
It. at Cand 97, 2 moneths ãrents pr of	200 : 00 : 00 021 : 05 : 00			
		0221	05	00
It. at Wit. 97, 2 moneths ãrents pr of	200 : 00 : 00 018 : 15 : 00			
		0218	15	00
Summe is		4691	00	00
Sume of the Miſsive Dues for thir bygone yeares for pe ten pound as pr Accompt		506	09	8½
Summe of this page is		5197	09	8½

	Lb. S. D.	Lb.	Sh.	D.
Item 2½ moneths of the augmentation being 35 lb pr moneth is	087 : 10 : 00			
ãrent of the sd augmentacne to Cand 99, retentione allowed	031 : 16 : 01			
		0119	06	01
Item 2½ moneths aditionall ãrents pr of	087 : 10 : 00 029 : 04 : 01			
		0116	14	01
It. 3½ moneths aditionall ãrents pr of	122 : 10 : 00 039 : 00 : 11			
		0161	10	11
It. 2½ moneths aditionall ãrents pr of	087 : 10 : 00 026 : 11 : 07			
		0114	01	07
It. 3½ moneths aditionall ãrents pr of	122 : 10 : 00 035 : 07 : 05			
		0157	17	05
It. 2½ moneths aditionall ãrents pr of	087 : 10 : 00 023 : 19 : 01			
		0110	19	01
It. 3½ moneths aditionall ãrents pr of	122 : 10 : 00 031 : 13 : 11			
		0154	03	11
It. 2½ moneths aditionall ãrents pr of	087 : 10 : 00 021 : 06 : 07			
		0108	16	07
It. 3 moneths aditionall ãrents pr of	105 : 00 : 00 019 : 11 : 01			
		0124	11	01
It. 3 moneths additionall ãrents pr of	105 : 00 : 00 016 : 18 : 07			
		0121	18	07
It. 3 moneths aditionall ãrents pr of	105 : 00 : 00 014 : 00 : 11			
		0119	00	11
It. 2 moneths aditionall ãrents pr of	070 : 00 : 00 008 : 06 : 03			
		0078	06	03
It. 2 moneths aditionall ãrents pr of	070 : 00 : 00 007 : 08 : 09			
		0077	08	09
It. 2 moneths aditionall ãrents pr of	070 : 00 : 00 006 : 11 : 06			
		0076	11	06
Summe is		1641	07	03
Baronie Miſsive Dues upon the 3 : 10 ℓ is		177	5	2½
Summe of this page is		1818	12	5½

Edinb: 7th March 1699.

This is Mr John Buchans Accompt produced befor the Commiſsione of Parliat for communicacne of trade.

MARCHMONT Cancellar. I. P. C.]

[MINUTES of the Committie for Trade.

14 March 1699.

SEDERUNT.

My Lo, Boyll.	Sr James Smallot.
The Proveiſt of Edr.	Mr Francis Montgomrie.
Sr John Swintoun.	John Anderſone of Dowhill.
Sr Adam Gordon.	

The Proveiſt of Edr choſen Preſes.

THE Committie haveing read the ſeall Bills reclaiming agt the proportiones they are to bear of the quota for the unfrie trade Finds noe ground for altering ther former reſoluon, the Bills concluding for the moſt pairt that they ought to pay nothing at all But in regaird they deſyre all to be heard Therfor the Committie referrs to the conſideration of the Commiſsion whither they ſhall be heard any furder or not.

G. HOME.]

IN the Commiſsion for Trade Mar. 16, 1699.

SEDERUNT.

The Lord Chancellour.	Sir Adam Gordoun.
The Earle of Mar.	Sir John Swintoun.
The Earle of Annandaill.	The Proveiſt of Edr.
Lord Boyll.	Sir Archbald Muir.
Lord Advocate.	Sir James Smallot.
Lord Halcraig.	John Anderſone of Dowhill.
Lord Whytehill.	

MINUTS of the laſt Sederunt read with the Interloqr anent Mr John Buchan.

THEN the Commiſsion proceided to modifie Mr Johns expenſes And it being propoſed by ſome of the members that the compt being above eightein hundred pound Sterling that the ſame may be modified to fyfetein hundred pound Others propoſed that ane thouſand pound wes ſufficient And it being put to the vote whither the modification of the ſaid accompt ſhould be tuelve or thirtein hundred pound Befor voting Mr John Buchan produced ane Act of Privie Counſill with ane Act of the Royall Burrowes dated in November Im vjc nynty ſeaven which bears that they had allowed of the three pound ten ſhilling for Mr Johns expenſes And alſe Mr John offered to depone in preſence of the Commiſsion that he hade truely expended the heall eightein hundred pound Sterling mentioned in his accompt and more All which being conſidered by the Commiſsion and the vote ſtated Whither to modifie the ſaid accompt to tuelve or thirtein hundred pound It carried by the plurality of votes tuelve hundred pound.

. . . . . .

[INTERLOQUITOR in favours of Mr John Buchan.

Edinb: 16 March 1699.

THE Commiſsione of Parliat for ſetling the Communicaon of Trade haveing this day conſidered the accompt given in by Mr John Buchane of his expenſ mentioned in the former Interloquitur extending to the ſoume of ane thouſand eight hundreth & eightein pounds tuelve ſhilt fyve pence & one thrie pt of a penie Sterline mony with the Proclamaon of Councill and Act of the Royall Burroues produced relative to the ſd expenſ daited in Novr 1697 They doe heirby modifie the forſaid accompt of Mr Jon Buchans expenſ ſmentioned to the ſoume of tuelve hundreth pound Sterline and ordaines the Royall Burroues to make payt pr of to him conform to ther ſtent roll.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

THEREFTER the Commiſsion haveing proceided to conſider the particular proportiones of the ten pound of the taxt roll as the ſame is caſtine upon the Burghs of Regality Barrony and other unfrie Traders And haveing conſidered the ſeaverall petitiones underwrine of theſe who did object againſt the quotas laid upon them They gave the particular anſwers therto following viz.

HAVEING conſidered the Petition given in by the Toun of Frazerſburgh they approved of the Report of the Committie and modified four ſhilling two pennies of the taxt roll to be payed by them monethly with releif from the Preſbitry of Old Dear.

. . . . . .

[PETITION for the Magistrats of Frasersburgh.

UNTO the Right Honll My Lord High Chancellor and remanent Lords and others of the Commiſsione for regulating the Trade betwixt the Burghs Royall and the Burghs of Regality and Barrony,

The Petitione of the Magiſtrats of Frazerſburgh for themſelves and in name of pr Community,

Humbly Sheweth,

THAT wher we being informed that the Burghs Royall have given in a Memoriall to yor Lo, by qch they inſinuat that we ſhould pay 15 ß of the ſtent roll qch would be ſuch ane impoſitione that would be unſupportable for us, And non of them can condiſhend that ever we had trade equivalent to the tenth pairt of that quota. Your Petitioners conditione is ſuch that the proportione we engadged to pay to Mr John Buchane (which wes thripence) wes more then we were really able to pay, And by the priviledge we got from Mr Buchane we being tempted to ſome ſmall foraigne trade it hes brought ſome of us to ruine, ſo pt unleſs our quota be reſtricted to the half of what wes payed to Mr John Buchane we moſt intearly renunce the benefite of the Act of Parliat and take us to a retailling trade within the Natione.

May it prfor pleaſe yor Lo, to conſider the premiſſ and befor any quota be ſtented upon us to allow us to be heared in your oune preſence or otherways accept of the quota we agreed for wt Mr Jo: Buchan as to bygons qch is 3 ß Scots. And your Petitioners ſhall ever pray. Wm Black.

Edinb: 16 March 1699.

THE Commiſsione of Parliat for ſetling the Communicaon of Trade haveing conſidered this Petitione and haveing heared the Petitioners Advocats prupon they doe modifie four ſhilt tuo pennies Scots of the taxt roll to be payed by the Toun of Fraſersbrugh monethly with releife to them from the onfrie Traderes win the Preſbitry of Old Dear And approves the Report of the Committie theranent.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing heard the petition given in by Old Aberdeen they alſo approved of the report of the Committie theranent and modified two ſhilling Scots monethly to be payed by them.

. . . . . .

[PETITION for the Magistrats of Old Aberdeen.

UNTO the Right Honll the Lord High Chancellor and remanent Lords and others of the Commiſsione for regullating the trade betwixt the Burghs Royall and Burghs of Regallity and Barronie,

The Petitione of the Magiſtrats of Old Aberdeen for themſelves and in name of the Community prof.

Humbly Sheweth,

THAT wher we being informed that the Burghs Royall have given in a Memoriall to yor Lo, by qch they inſinuat that we

ſhould pay a pairt of the Stent Roll, Albeit it cannot be condiſhended, that any liveing within our toune have had any foraigne trade except such as ar Burghers of Aberdeen who ar ſtented by the Magiſtrats ꝑof, and so falls not under the compaſs of unfree traders, ſo ꝑt it wer very hard to impoſe any quota upon yor petitioners who ar content to renunce the benefite of the Act of Parliāt except yor Lo, allow us such ane eaſie quota as we ar able to bear.

May it ꝑfor pleaſe your Lo, to conſider the premiſſ And befor any quota be ſtented upon us that yor Lo, would allow us to be heared in your oune preſence. And your petitioners ſhall ever pray. Wm Black.

Edinb: 16 March 1699.

THE Commiſsione of Parliāt for ſetling the communicaon of trade haveing conſidered this petitione and heard the petitioners Advocats ꝑupon they modifie tuo ſhill Scots monethly to be payed by the toun of Old Aberdeen and approves the report of the Committie ꝑanent.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing read the petition given in by the toun of Falkirk they approved of the report of the Committie and modified three ſhilling Scotts money monethly to be payed by them.

. . . . . .

[PETITION for the Toune of Falkirk.

UNTO Patrick Earle of Marchmont Lo, High Chancelour & remanent Lords Commiſsioners nominat for ſetleing the trade betwixt the Burghs Royall & Regalities & Baronies, The Petition of William Callender & James Boog merts in Falkirk for themſelfs & in name & behalf of the haill inhabitants within the Burgh.

Humbly Sheweth,

THAT where by the 20th Act of the laſt Seſsion of this currant Parliāt your Lo, are impouered to ſubdivid & proportion the ten pounds of the Royall Burghs taxt roll impoſed upon Regalities and Barronies dureing the tyme of Mr John Buchans tack & to conſider of the ſaid Mr John his expence And sicklyke to conſider for hereafter what pairt of the Royall Burghs taxt roll ſhould be laid upon Regalities and Barronies & opris who ſhall accept of the benefite of exporting native goods & importing forran goods And ſeeing your Lo, have been pleaſed to cauſe make intimation to Regalities & Barronies to informe anſuer & object anent the quantitie of ther ſeāll trades your petitioners for themſelfs & in name forſd humbly repreſents first that the great ſcarcitie and continuall quartering of ſouldiers upon the Burgh of Falkirk hath rendered the inhabitants altogether incapable to pay so much as the one half of what hath been formerly demanded from them dureing the tyme of Mr John's tack for ꝑe alledged communication 2do, Albeit it may be expected that the toune of Falkirk injoyed a ſmall trade dureing the tyme of Mr John's tack in reſpect of the weekly marcats the toune have yet it can be made appear the inhabitants doe only traffeck in the native goods of the Kingdom except one or tuo at moſt, who have a ſmall traffeck with forran goods and ſuch goods they buy from freemen in Burghs Royall or ſuch who had got the benefite of communication 3o, In tyme comeing your petitioners that ſuch who have any ſtock may be incouraged or rather oblidged to imploy the ſame on trade they are content to pay a ſmall proportion of the generall quota to be laid on Regalities & Barronies for the benefite of export & import And it cannot be reaſonably expected that Falkirk can injoy any great trade in reſpect 1o, There few have ſtocks to imploy ꝑt way 2do, The toune lyes at a great diſtance from any harbour or ſea port & lyes very inconvenient for trade being surrounded by very ſubſtantiall Burghs Royall.

May it therefor pleaſe your Lo, to take the premiſes to your ſerious conſideration and to lay ane very ſmall proportion of the ten pounds impoſed dureing Mr John's tack on the Regalities & Baronies leaſt your petitioners be altogither incapacitat from uſeing any kind of trade in tyme comeing and to communicat to your petitioners for themſelfs & in name of the haill opris inhabitants the forſd benefeit upon our payt of ſuch ane ſmall proportion as your Lo, & we ſhall agree, according to juſtice & your Lo, anſuer.

Wm Callander. James Booge.

Edinb: 16 March 1699.

THE Commiſsion of Parliāt for ſetling the communicatione of trade haveing conſidered the wtin petitione they modifie thrie ſhill Scots monethly to be payed by the toun of Falkirk and approves the report of the Committie ꝑanent.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing conſidered the petition given in by the toun of Turreff they modified nyne ſhilling Scotts money to be payed monethly by them with releif from the unfrie traders within the Preſbitry therof.

. . . . . .

[PETITION for the Inhabitants of the Town of Turreff.

UNTO the Right Honorable the Lord High Chancellor and remanent Commiſsioners appoynted for regulateing of trade betwixt the Royall Burrowes, Burghs of Regality & Barrony,

The humble Petitione of John Fordyce in Turriff for themſelves and in name and behalfe of the remanent inhabitants of the town.

Sheweth,

THAT where we are conveened to cary a proportione of the burden of the Royall Burrows as if we were tradeing merchands wheras we are only ſewars to the Earle of Erroll and have no trade nor freedome within ourſelves but ſuch as are burgeſſ of Aberdeen or Bamff with whom we pay Scot and Lot as if we were liveing within the ſaids Burghs neither is there any goods vended or ſold within our ſaid towne but ſuch as are bought from tradeing merchands at the ſecond hand neither have we ſhipping being a remote country villadge ſix myles from Bamff and therty myles from Aberdeen and ſince the war began we are brought to great poverty and moſtly by his Majeſties forces marching ſouth and north and were alwayes a night when on their march and ſome troops frequently quartered in the towne who and the army in their marches contracted much debt which they never payed beſydes deſtroying of the corns which were never payed for either.

May it therfore pleaſe your Lordſhips to take the premiſses to your ſerious conſideratione and to free your petitioners and our ſaid towne of any part of the burden of the Royall Burrows both for bygones & in tyme comeing in regaird we have no trade but ſuch as we have as burgeſſ of other Burghs where we pay all burdens as if we were liveing there beſides that we are brought to great poverty and have more need of ſupply then to carry any proportion of burden & which is hoped your Lōps will ſeriouſly conſider. And your petitioners ſhall ever pray.

Edinb: 16 March 1699.

THE Commiſsione of Parliāt haveing conſidered this petitſon they modifie nyne pennies Scots monethly to be payed by the toun of Turife wt releife from the onfrie traders within the Preſbitrie ꝑof and approves of the report of the Committie ꝑanent.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing considered the petitione given in by the toun of Grangepanns they modifie the quota payan by them to fyve shilling monethly.

. . . . . .

[REPRESENTATION for the Toun of Grangepanns humbly offered to the Commissionfor setling of Trade.

THAT where the toun of Grangepanns is represented to be a place of that trade as may bear the burden of paying fyve pence of the tax roll for bygones.

The inhabitants of the sd toun being altogether unable to bear such a burden doe most humbly beg leave to represent their present state and condition viz. This toun is a small and inconsiderable Burgh of Barronie and the inhabitants therof for the most part doe consist of a number of poor work people who are imployed about the coal and salt works of Grange and are exeemed by law from payment of cess and all other publict burdens The remaining inhabitants are a few masters of ships and saillers who are all in so mean a condition that none of them are in condition to trade save only two persones who are masters of ships or skippers and these two have no considerable trade for one of them in the latter end of the late war sustained a great loss by having his ship taken by the French As for the few ships more wherof their skippers doe reside in this place the owners therof are all merchts living in Royall Burroughs such as Edinburgh, Linlithgow, Glasgow & Stirling &c. and any mean trade that is made by these ships is by merchts residing in the above named places who imploy the ships The inhabitants of this town not being in a condition to imploy them as will evidently appear from the Customhouse Books of Borrowstounness so as a very small part of the benefite of the trade accrues to the inhabitants of Grangepanns From all which it will evidently appear to your Lo, that our trade is very inconsiderable And the truth is the whole place being taken complexly is mean and poor and not in condition to bear any great burden.

May it therfor please your Lordships to take the premiss to your serious consideration and lay on us no greater sum then three half pence of the tax roll for bygones which we humbly presum to say is truly the outmost we are in condition to bear. And your petitioners shall ever pray.

Edinb: 16 March 1699.

THE Commissione of Parliat for setling the communicacon of trade haveing considered the within petitione they approve the report of the Committie anent the quota of the stent layed upon the toun of Graingepanes being fyve shitt Scots monethly and refuises the desyre of the petitione.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing considered the Representation given in by the Toun and Paroch of Kilmarnock they modifie the same to three shilling Scotts monethly.

. . . . . .

[REPRESENTATIONE the Earle of Kilmarnock for himself and in name & behalf of the Burgh of Kilmarnock.

UNTO ye Right Honon the Commissione of Parliat for adjusting the Communicatione of Trade betwixt the Burghs Royall and the Burghs of Barrony and Regality, The Representatione of William Earle of Kilmarnock for himself and in name and behalf of the inhabitantes of the Burgh and Barrony of Kilmarnock,

Sheweth,

THAT the Earl is very weill pleased to pay such ane proportione for the Communicatione of Trade for his Burgh of Barrony of Kilmarnock for the yeares of Mr John Buchan his tack as your Lops shall be pleased to modify with regard to the poverty of the place and any small trade they could have.

But its humbly represented that the proportione of the stent roll to be imposed upon the said Toun for their trad can be but very small, Becausе 1mo the Toune of Kilmarnock lyes at ane considerable distance from the sea and so cannot have the conveniency of any forraign trade 2o That place consistes for the most part of tradsmen such as bonnet makers and stockin weavers, who manufactor the product of the Kingdome and soe deserves incouragment, and these poor tradesmen by the calamityes of the tymes are redacted to such straites that few or non of them are in a conditione to continue at their work and the most part of them ar put to live upon charity and the greatest part of that Toune is vast 3io There are few or noe tradeing merts in that Toune and the tradesmen being able to releive them of little or noe share of the impositione, It must be a very small quota that ye merts will be able to bear, and yet the Earle of Kilmarnock in their behalf does cheerfully undertake the burden of two shilling for bygaines qch is the highest they can bear, notwithstanding of any greater quota imposed upon them by Mr John Buchan or the Provest of Irving as haveing Commissione from him or of any pretended agreement made pr anent.

May it pfore please your Lops to take the conditione of that place (which is sufficiently knowen to some of your Lops number) to your considerone and to modify the proportione to be payed for bygaines to two shitt Scotes of the stent roll qrof your Petitioner in behalf of the Toun is willing to make payt.

Edinb: 16 March 1699.

THE Commissione of Parliat for setling the Communicone of Trade haveing heared & considered the within Representatione they modifie the soume of thrie shitt Scots of the taxt roll to be monethly payed by the Toun and Parioch of Killmarnock as pr proportion of the ten pound layed upon the Burghs of Barronie & Regalitie dureing the space of Mr Jon Buchans contract being fyve years from Lambas 1692 to Whytsunday 1697 conforme to the Report of the Committie pr anent.

MARCHMONT Cancellar. I. P. C.]

. . . . . .

AND haveing considered the Petition given in by the Inhabitants of Airth and Elphingstoun they modified the same to one shilling eight pennies and approved the Report of the Committie theranent.

. . . . . .

[PETITION for the Inhabitants of the Baronies of Airth & Elphingstoune.

UNTO the Right Honourable the Commissioners for Regulation of Trade,

The Petition of the Inhabitants in the Baronies of Airth & Elphingstoune, in the Shyre of Stirling,

Humblie Sheweth,

THAT where your Petitioners liveing in the saids Baronies of Airth & Elphingstoune which is a countrey place remote from all trade, we never had occasion to import any staple commodities or any other goods qtsumever, And yet by the scheme given in to your Lops there being seven shilling laid upon the Shyre of Stirling your Petitioners proportion therof is made to be one shilling eight pennies whereas Bannockburne Drymen & Bochlyvie beare each of them only a proportion of two pennies, tho' they have a greater trade & retaile than yor Petitioners, And Falkirk beareth only a proportion of three shilling tho' ther trade be ten tymes more than that of yor Petitioners.

May it therefore pleaſe your Löps to take yor Petitioners caſe to your conſideration who have no trade worth the noticeing and to lay a proportion upon us of tuo pennies conforme to the ſds other places of the lyke trade, and to make up the totall by altering the proportions upon the ſds other places of the ſd Shyre at leaſt to ordain yor Pets to get releiff from the remainder of the paroch of Airth and the paroch of Larbour which is next adjacent therto. And yor Petitioners ſhall ever pray.

Edinb: 16 March 1699.

THE Commiſsione of Parliat for ſetling the Communicacn of Trade haveing conſidered the wtin Petitione they doe adhear to the Report of the Committie modifieing one ſhilt eight pennies Scots monethly of the taxt roll to be payed by Airth & Elphingstone and approves of the ſd Report and refuiſes the deſyre of the Petitione.

MARCHMONT Cancellar. L P. C.]

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AND haveing conſidered the petition given in by the toun of Paiſley they modified the ſame to four ſhilling of the taxt roll monethly.

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[PETITION for the Bayllies Council and Community of Paslay.

UNTO the Right Honble Patrick Earle of Marchmont Lord High Chancelor and remanent Lords & other Commiſsioners of Parliament for regulating of Trade,

The Petition of the Bayllies Councill and Comunity of the Burgh of Barrony and Regality of Pasley.

Humbly Sheweth,

THAT in order to the proportioning of tuenty ſhilling Scots upon the Burghs of Regality Barrony and other landwart parrochs within the Shyre of Renfrew as a quota effeiring to 13 lib. 10 ß deſigned to be impoſed on the unfree traders of the haill Kingdome Mr John Buchan having ſent a letter to the Burgh of Renfrew for adjuſting thereof In obedience to the ſd letter the Magiſtrats & Councill of that Burgh proceeded in the matter and gave their opinion what ſhare thereof was to be payed by each Burgh of Barrony & Regality and paroch of the ſhyre And qrof they were of opinion that the toun and paroch of Paſley and parochins of Areſkine & Inchenan ſhould pay tuo ſhilling ſex pennies Scots as their report made thereanent lyeing in the clerks hands will teſtifie Yet without reguard to that report as to the Shyre of Renfrew there is a new diviſion offered to your Lo, whereby albeit by the ſaid last list there be only ſixteen ſhillings impoſed on the whole Shyre yet the proportion pby deſigned for Paſley is four ſhilt ſix pennies which proceeds upon a mistake as to the extent of trade of the ſhyre And in the ſd laſt liſt there are many Burghs of Barrony and Parochs omitted And ſeing it is moſt certane that ſince the date of Mr Buchan's contract with the Royall Burrows there was never any other trade uſed by theſe of Paſlay than the retailing of forraign commodities bought from free men burgeſses of Royall Burghs and the tradeing in the native commodities of the Kingdome which they look'd upon as free of any impoſicn and that the place is very low and in a poor condition and has been as much expoſed to quarterings watching warding and expenſs of keeping up a priſon and mantaining of priſoners as any Burgh in the Kingdome So that if your Löps find we muſt be lyable in any quota albeit we never accepted of the communicacn nor exerced any unfree trade the report made by the Burgh of Renfrew who certanely beſt know how the ſhyre trades and may pay ſhould be receaved as the rule for impoſeing prof with the deduction of a proportion effeiring to the difference betwixt 20 ß according to which they made the quota for that ſhyre and 16 ß which is now to be the quota thereof being a fifth part of the heall.

May it therefor pleaſe your Löps to conſider the premiſs and either to declare us free ſeeing we never exerced any unfree trade or if your Löps ſhall find we muſt pay to rectifie the ſaid laſt list as to our proportion according to the report made by the Burgh of Renfrew with the deduction of the forſd fifth part.

Edinb: 16 March 1699.

THE Commiſsione of Parliat for ſetling the communicacn of trade haveing conſidered this petitione they doe modifie the quota payable by the toun & paroch of Paiſley to the ſoume of four ſhilling Scots of the ſtent roll monethly with releif to them from the parioches of Kilbarchane and Eglitholme and unfree traders within the ſame And approves of the report of the Committie theranent.

MARCHMONT Cancellar. I. P. C.]

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THE Commiſsion doe remit to the Committie formerly named to conſider the Petitiones given in by the Toun of Kelſo and Burrowſtounneſs and any other Petitiones that are or ſhall be given in to the Clerk betwixt and the nixt Sederunt and to hear the pairties therupon And alſo to conſider the particular quotas laid upon the particular Burghs and unfrie Traders and to bring in ane full Report of the haill premiſses againſt Munday pn nixt.

THE Commiſsion adjurnes ther meitting till Munday nixt at three a clock in the eſternoon.

MARCHMONT Cancellar. I. P. C.

[IN the Committie for Trade.

17 March 1699.

E, of Mar.	Sr Adam Gordone:
E, of Loudoun.	My Lord Whythill.
The E, of Annandaill.	Sr Ja: Smallot.
The Lo, Boyll.	John Anderſon of Dowhill.

The Earle of Annandaill choſen Preces.

A PETITIONE of the Toun of Kelſo read & pr Lauyeres called & heared pupon And pupon the Committie are of opinion the quota for Kelſo is to be eight ſhilt Scots monethly.

THE Petitione of Borrouſtones read & they ordered to be heared pvpon the firſt Sederunt of the Commiſsione.

THE Petitione of Preſtounpans & Tranent read and are of opinion it ought to be refuiſed.

THE Petitione of the Chapmen of Dirleton read & the conſideracne delayed qll ane gñall propoſall . . . . . the releife is the communicacn be taken into conſideracne.

. . . . . .

[PETITIONE for the Packmen of Dirletoune.

UNTO the Ryt Honoll the Lords Commiſsioners of Parliat for Communicatione of free Trade within this Kingdome, The Petitione of the Merchants (or more trewlie Chapmen) in the Parochen of Dirletoune.

Humblie Sheweth,

THAT wher your Petitioners having been greivouſly oppreſſed for ther pettie Trade by laying on and exacting ane exorbitant

proportione of the impoſitione for tread from them for ther ſmall tread or rather retaill theſe ſeverall yeares bygone which hes reduced all or moſt of them verrie near povertie and tread being now quite decayed through the whole Kingdome ther families moſt certainly goe to ruine unles your Lo, prevent the ſamen And that where your Petitioners being then five in number and now reduced to three did agree with Mr John Buchan Agent for the Burrowes at the begining of this Communicatione of Trade for nine pennies Scots p moneth which extended to ſeven pound four ſhilling Scots each p annum as will clearly appear by the contract paſt betwixt them and the ſd Mr John Buchan in anno 1693 which greivous impoſitione hes quite deſtroyed ther pettie tread And notwithſtanding therof the Royall Burgh of Haddingtoune hes impoſed and exacted with the outmoſt ſeveritie of quartering intolerable for your Petitioners to bear a full fourth pairt more albeit our number and ſmall tread be the one halfe decayed which will certainly ſend us and our families a begging unles your Lo, prevent the ſame by regulating our particulare proportione of the impoſitione for our pettie tread to two or three pennies p moneth which is all that we are able to bear conſidering that we have no ſea port toune or ſea port or forraigne trade but meerly ane inland retailling with the countrey fermers our neighbours who are now in a verrie low conditione and that if it wer not for recovering our ſmall ſtocks out of ther hands and that we know no other way of living but by our ſmall retailling trade having been in conſtant uſe to carrie the pack from our infancie to mantaine ourſelves and our families we would willingly give over the ſamen.

May it therfor pleaſe your Lo, to take the premiſſ to your ſeriouſe conſideratione and regulate your Petitioners to two or three pennies p moneth eſpeciallie ſeing if we be left to others they will deall with us as they pleaſe for ther owne releiſe and our ruine ſince we are not in a conditione to repreſent and get redreſs of our grivances becauſe of our povertie. And your Petitioners ſhall ever pray. &c.

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A PETITIONE of the Toun of Hauick read and the Committy are of opinion that ꝑr quota be the ſume of one ſhilt ſix pens.

THE Caſt of the proportiones of the ten pund layed on the onfrie Traderes being produced befor the Committie They doe tranſmit the ſame to the conſideraon of the Commiſsione to be approven or not as they ſhall find juſt.

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[REPORT of the Committy anent the Stent Roll.

THE unfrie traders within the Shyre of EDINBURGH nynteln ſhilling ſix pennies By the Paroches of Newbotle Leswade and Cockpen and Carringtoun Penniecook & Currie one ſhilling Scots ſix pennies The Parochine of St Cuthberts including Portsburgh Potteraw and Pleasants three shilling six pennies That part of South and North Leith which payes ceſs with the Shyre and not with the Toun of Edr The Abbay the Paroches of Curstorphine and Cramond three ſhilling ſix pennies The Toun and Regallity of Dalkeith fyve shilling six pennies The Toun and Regallity of Musleburgh and Parochines of Dudingstoun Newtoun Libertoun Cranston and Crichtoun fyve shilling six pennies With releiff to the saids Tounes of Musleburgh and Dalkeith from the unfree traders of the haill other Paroches within the said Shyre not above named to be subdivyded by the Masters and Magistrats of the saids Burghs with concurrence of the Earle of Lothian Sir Archibald Mure Baillie Menzies Mr William Calderwood ffff Deput or any one of them payable to the Toun of Edinburgh.

HADDINGTOUN sixtein shilling By the Toun and Parochine of Prestonpanns tuelve shilling By the Touns & Parochines of Tranent Aberlady and Dirletoun four shilling With releiff to ꝑe ſaids Tounes and Parochines from the remanent unfrie traders within the Shyre to be subdivyded by the Masters or Magistrats of the ſds Tounes of Prestonpanns & Tranent with concurrence of the Lord President of Seſsion and Lord Theaſr Deput or any one of ꝑm payable to Haddingtoun.

BERWICK fyve shilling By Dunſs and the Parochine therof one shilling ij pennies By Coldstream one ſhill: Toun & Parish of Greinlaw Fogo Gordon & Poluart one pennie By the Toun of Haymouth two shilling The Toun of Haymouth haveing releiff from the remanent unfrie traders within the Shyre to be subdivyded by the Magiſtrats of the said Burgh with concurrence of the Lord High Chancelor Sir Andrew Home ffff Deput Sir John Saynton of ꝑt Ilk Sir John Home of Blackader or any one of them payable to Lauder.

ROXBURGH twelve shilling ſix pennies By the Toun of Kelso eight shilling By Hawick one ſhilling six pennies By Langholme ten pennies By Melroſs six pennies By Yettam eight pennies With releiff to the saids Touns from the remaining unfree traders of the said Shyre to be subdivyded by the Masters or Magistrats of the saids Tounes with concurrence of Sir John Swinton of ꝑt Ilk Sir John Home of Blackader and ffff Prinll or any one of them payable to Jedburgh.

LINLITHGOW one pund one ſhilling one pennie By the Toun of Borroustouneſs sixtein shilling By Graingepanns fyve shilling By Bathgait one pennie With releiff to the saids Tounes of Borroustounes and Graingpanns from the rest of the unfrie traders within the said Shyre to be divyded by the Masters or Magistrats of the ſaids Burghs with concurrence of the Earle of Annandale, ffff Prinll Deput, or any one of ꝑm payable to Linlithgow.

PERTH thretein shilling By Dunkeld tuo shilling nyne pennies By Doun tuo shilling nyne pennies By Coupar of Angus tuo shilling nyne pennies By Creiff one shilling six pennies By Elioth two shilling three pennies By Dumblane one ſhilling With releiff to the saids Tounes from the rest of the unfrie traders within the said Shyre to be divyded by the Masters or Magistrats therof with concurrence of the Shirriff Prinll and Depr Stewart of Stratherne and Deput the E. of Northaſk Lord Ruthven Lord Aberurqll and Provost of Perth or any one of ꝑm payable to the Toun of Perth.

KINKARDINE tuo ſhilling four pennies payable by Stonhaven With releif from the rest of the unfrie Traders of the said Shyre to be divyded by the ffff Prinll or any named by him with concurrence of the ffff Deput and Provost of Aberdein payable to the Town of Inverbervie.

ABERDEIN threttein ſhilling By the Toun of Old Aberdeen tuo shilling With releif from the unfrie Traders within the Preſbitry of Aberdeen lyand within the Shyre therof to be subdivyed by the said Toun with concurrence of the ffff Prinll Deput Provost of Aberdein or any one of them By the Paroches of Ellon Udney and Foveran (excepting the Toun of Newburgh) fyve pennies to be divyded by the Lairds of Udney yor or Watertoun with concurrence forsaid By the Paroches of Tarves and Methlik tuo pennies to be divyded by the Earle of Aberdein or the Lord Haddo By the Paroches of Slains and Cruden one pennie to be divyded by the Earle of Erroll or any named by him By the Paroches of Old Deir New Deir Longsyd Saintſergus Peterhead and Toun therof tuo shilling four pennies to be divyded by the Earle Marshall or Magistrats of Peterhead with concurrence forsaid By the Paroches of Crimond Longmay, Strechen, Rathine, Tyrie, Aberdour, Pitsligo, Fraizersburgh and Toun therof four shilt eight pennies to be divyded by the Lord Saltoun or Magistrats of Fraizersburgh with concurrence forsd By the Toun of Turriff nyne pennies With releif from the unfrie Traders within the Presbitry therof to be divyded by the Earle of Erroll or his Baillie with concurrence forsaid By the Toun of

Strabogie one shilling With releif from the unfrie Traders within the Presbitry to be divyded by the Duke of Gordon or any nominat by his Grace with concurrence forsaid By the unfrie Traders within the Preſbitrie of Alfoord four pennies to be divyded by the Lord Forbes or any named by him By Kinkarne Oneill three pennies By Charletoun fyve pennies By Tarland six pennies With releif to the saids three Touns from the unfrie Traders within the said Presbitrie to be divyded by the Masters or Magistrats of the sds Tounes with concurrence forsaid By the Toun of Inch one pennie By the Toun of Old Meldrum eight pennies With releif to the Toun of Old Meldrum from the unfrie Traders within the preſbitrie of Garioch to be divyded by the Masters or Magistrats of the said Toun with concurrence forsaid payable all of them to the Toun of Aberdein.

INVERNESS three shilling six pennies By Maryburgh tuo ſhilling six pennies By Bewly one shilling With releif from the other unfrie Traders within the Shyre to be divyded by the Sheriff Prin^{ll} Deput and Provost of Invernes or any one of them payable to Inverneſs.

ROSS one shilling three pennies to be divyded by the Toun of Tayn with concurrence of the Sheriff Prin^{ll} or Deput payable to the Toun of Tain.

CROMERTY fyve pennies to be divyded by the Magistrats of Cromertie with concurrence of the Viscount of Tarbat and f^{rff} of Cromerty and Sir Adam Gordon of Dalpholy or any one of them payable to Forterose.

ARGYLE three shilling payable by Campbeltoun With releiff from the unfrie Traders within the said Shyre to be divyded by the Earle of Argyll, the Shereff Deput or one of the Magistrats of Inveraray payable to Inveraray.

FYFE seventein shilling fyve pennies By Toun and Paroch of Saint Minnans six pennies By Elie one shilling six pennies By the Paroches of Kilconq^{r} and Newburne eight pennies By Toun and Paroch of Largo eight pennies By Toun of Leven and Paroch of Scoony one shilling By Wester-Weymes and the rest of the Paroch of Weeyms tuo shilling nyne pennies By the Toun of Dunakeir and Paroch of Dysart with Paithhead ten pennies By Linktoun Paroch of Abbotshall Weſt Bridge of Links and Paroch of Kinghorne tuo shilling eight pennies By the Toun and Paroch of Aberdour and Paroch of Dalgety four pennies By the Toun of Lymekilnes Corsefoord in Dumfermline Paroch and Paroch of Saline six pennies By the Toun of Northferry three pennies By the Toun and Paroch of Tòriburne tuo pennies By the Toun and Paroch of Auchtermuchty Paroches of Cullefsie Obtie and Monimeall ten pennies By the Paroches of Stramiglo and Arngask with the Toun of Stramiglo seven pennies By the Toun and Paroch of Leslie one pennie By the Toun and Paroch of Newburgh Paroches of Flisk Balmerinoch and Dunbog seven pennies By the Toun and Paroch of Markinch one pennie By the Toun and Paroch of Kennochie tuo pennies By the Toun of Ferryportincraig the Watersyd of Dundie and the Paroch wherin the said Watersyd lyes one shilling By the Toun and Paroch of Lewchars Kingsbarnes and Carnebie three pennies By the Toun of Lithray and Paroch of Creich one pennie By the Toun and Parochs of Falkland Bingrie Beith Auchterderran Kinglafsie Auchtertooll Kilmenie and Kettle one shilling eleven pennies With releif to the said Toun of Falkland and forsaids Paroches p^{r}to adjoyned from the unfrie Traders within the Shyre not above set doun The forsaids soumes to be divyded by the Masters and Magistrats of the forsaids Tounes upon the unfrie Traders within their reſive Paroches abovement^{t} As also within the other Parochs which are not abovement^{t} with the concurrence of the Earle of Melvill the Earle of Leven the Sheriff Deput or any one of them payable to the Toun of Coupar.

KINROSS four pennies payable by the Toun of Kinrofs with releif from the unfrie Traders within the Shyre to be divyded by the sd Toun with concurrence of Sir William Bruce, his sone the f^{rff} Deput or any one of them payable to the Toun of Coupar.

FORFAR four shilling By the Hill of Dundie 10 pennies By Glams 10 pennies By Kirriemure tuo shilling 4^{d} With releif from the unfrie Traders of the Shyre to be divyded by the saids Tounes with concurrence of the f^{rff} Prin^{ll} Deput and Provost of Dundie or any one of them payable to Dundie.

BAMFF tuo shilling By Portsoy one shilling By Keith one shilling With releif from the rest of the unfrie Traders of the Shyre to be divyded by the sds Tounes with concurrence of the Sheriff Deput or Provost of Bamff payable to the Toun of Bamff.

SELKIRK one shilling payable by the Toun of Gallowsheills With releif from the rest of the unfrie Traders within the Shyre to be divyded by the said Toun with concurrence of the Lord Philliphaugh or Mr John Murray Advocat his brother payable to the Toun of Selkirk.

PEEBLES one shilling payable by Lintoun With releif from the unfrie Traders within the Shyre to be divyded by the sd Toun with concurrence of the f^{rff} Prin^{ll} the Deput the Laird of Blackbarony or any one of them payable to Peebles.

LANERK six shilling By the Toun and Paroch of Hamilton tuo shilling By Garbells tuo shilling By Straven eight pennies By Douglas eight pennies By Biggar eight pennies With releif from the rest of the unfrie Traders within the Shyre to be divyded by the said Tounes with concurrence of the f^{rff} Prin^{ll} the Deput Lord Halcraig John Anderson of Douhill or any one of them payable to Glasgow.

DUMFRIES tuo shilling q^{r}of ten pennies upon the Stewartrie of Annandale Wherof tuo pennies upon Ecclesfechan Six pennies upon Lockerbie and 2^{d} upon Moffat w^{t} releif to them of the unfrie Traders within the Stewartry to be divyded by the Earle of Annandale or his order fourtein pennies upon Thornhill With releif to p^{m} of the rest of the Shyre to be divyded by the Duck of Queensberry or order payable to the Toun of Dumfreis.

WIGTOUN nyne pennies payable by Glenluce With releif from the unfrie Traders within the Shyre to be divyded by the Masters or Magistrats of Glenluce with concurrence of the f^{rff} Prin^{ll} or Deput to be payed to the Toun of Wigtoun.

KIRKCUDBRIGHT tuo shilling By Monygaff one shilling By the Old Clachan one shilling With releiff of the rest of the unfrie traders within the Stewarty to be divyded by the Masters or Magistrats of the saids Touns with concurrence of Lord Basil Hamilton Stewart Prin^{ll} or Deput Provost of Kirkcudbright or any one of them payable to Kirkcudbright.

NAIRNE six pennies to be divyded by the Toun of Nairne with concurrence of the Sheriff Prin^{ll} the Deput and Laird of Brody or any one of them payable to Nairne.

DUMBRITTAIN one shilling six pennies By Kirkintulloch ten pennies By Cumernald eight pennies With releiff from the unfrie traders of the Shyre to be divyded by the Maſters and Maġrats of the saids Tounes with concurrence of Sir James Smollet payable to the Toune of Dumbrittain.

RENFREW fyftein shilling six pennies By the unfrie traders in the Paroch of Inuerkip belonging to the Lairds of Blackhall and Castlemilk tuo shilling By the Toun and Paroch of Paisley four shilling By the Bay of Newwark and Paroch of Houstoun six pennies By the Paroch of Greenock nyne shilling With releiff to the said Paroch of Greenock from the other unfrie traders within the said Shyre to be divyded by the said Paroch with concurrence of the Lord Boyll Sir James Smollet or any one of them payable to Renfrew.

AIR threttein shilling By the Toun and Paroch of Kilmarnock three shilling By the Toun and Paroch of Stewartoun six pennies By the Toun and Paroch of Beith one shilling four pennies By

the Toun and Paroch of Largs eight pennies By the Toun and Paroch of Kilwinning one shilling six pennies Toun and Paroch of Saltcoats one shilling six pennies Newmilnes tuo pennies Toun and Paroch of Kilmaris six pennies Toun and Paroch of Kilbryd tuo pennies With releiff from the rest of the unfrie traders within Cuninghame to be divyded by the saids Tounes with concurrence of the Earle of Loudoun Lord Boyll Mr Francis Montgomery and Provost of Air or any one of them payable to Irvine By Maybole one shilling tuo pennies Newtoun of Air eight pennies Mauchline tuo pennies Ochiltrie three pennies Cumnock tuo pennies Dalmellingtoun one pennie Balintrae six pennies Torbolton one pennie Symontoun one pennie Galstoun tuo pennies Garven one pennie Riccartoun one pennie With releiff to them from the unfrie traders in Kyle and Carick to be divyded by the sds Tounes with concurrence forfaid payable to Air.

STIRLING seven shilling one pennie Falkirk Toun and Paroch three shilling Kilsyth Toun and Paroch ten pennies Saint Ninians Toun and Paroch and Paroch of Gargunnock one shilling one pennie Airth and Elphingstoun one shilling six pennies Bannockburne tuo pennies Bochlyvie and Paroch of Kippen six pennies With releiff ut supra to be divyded by them with concurrence of the Earle of Marr or any one to be named by him payable to the Toun of Stirling.

SUTHERLAND four pennies to be divyded by Dornock with concurrence of the ffff Prinll or Deput and Sir Adam Gordon of Dalpholy or any one of them payable to Dornock.

CAITHNES three shilling payable by Thurso with releiff ut supra to be divyded by pm with concurrence of the ffff Prinll Deput Magistrats of Week or any one of pm payall to Week.

CLACKMANAN three shilling payable by Alloway With releiff ut infra to be divyded by them with concurrence of the Earle of Marr or any to be named by him payable to Stirling.

ORKNAY & ZETLAND six shilling to be divyded by Kirkwall with concurrence of the Stewart his Deput and Sir William Craigie of Gairsey or any one of them payable to Kirkwall.

ELGINE four shilling By Findorne three shilling By Garmoch six pennies By the Toun of Fochabers six pennies With releiff to the saids Touns from the unfrie traders of the said Shyre to be divyded by the Masters and Magistrats of the saids Tounes with concurse of the Sheriff Prinll and Laird of Brody or any one of them payable to Elgine.

Edinb: 17 March 1699.

THE Committie haveing considered the fall petitiones that were offered to them in relatione to the parlar quotas of the onfrie traders and heared the lauyers of such of pm as were present are of opinion that this caft of the proportiones be transmitted to the Commissione to be approven by pm or not as they shall find just.

ANNANDALE P.
I. P. C.]

IN the Commission for Trade Mar. 20, 1699.

SEDERUNT.

The Lord Chancellour.	Lo, Whytehill.
Earle of Marr.	Mr Francis Montgomrie.
Earle of Loudoun.	Sr John Swintoun.
Earle of Levine.	Sr Adam Gordoun.
E, Annandaill.	Proveist of Edinburgh.
Lo, Boyll.	Sr Archbald Muir.
Lo, President of Sessions.	Sr James Smallot.
Lo. Advocate.	John Andersone of Dowhill.
Lo, Halcraig.	

MINUTS of the last Sederunt read.

THE Report of the Committy anent the quota laid upon the Toun of Kelso Prestounpanns and Toun of Hawick read voted and approven.

. . . . . .

[PETITION for the Toun of Kelso.

UNTO the Right Honourable, the Earl of Marchmount, Lord High Chancellour, and remanent Lords Commissioners, for setling the Trade betwixt the Burghs Royal, and Regalities and Barronies,

The Petition of the Inhabitants of the Burgh of Barrony of Kelso.

Humbly sheweth,

THAT where by the twentieth Act of the last Session of this current Parliament, your Lordships are impowered to subdivide and proportion the ten pound of the Royal Burrows taxt roll, imposed upon Regalities and Barronies, during the time of Mr John Buchan his tack, and to consider the said Mr John Buchan his expenses; And sicklike, for thereafter, what part of the Royal Burrows taxt roll should be laid upon Regalities and Barronies, and to inform, answer, and object, anent the quantity of their several trades: Your Petitioners for the foresaid Burgh of Barrony of Kelso, humbly represent, 1mo. That the great scarcity, and continual quartering of Souldiers upon the said Town of Kelso, which was so lately burnt to ashes by an universal conflagration, hath made such a decay of trade, that the few traders who lived therein, about the time of the said conflagration, hath since removed to follow their trade to other places of the Kingdom, whereby the remaining inhabitants are rendered altogether uncapable to pay so much as the one half of what was demanded formerly from them, during the time of Mr John Buchan's tack; For clearing whereof, there was a Petition presented to the Estates of Parliament, the last Session thereof, by the Town of Kelso, for themselves, and the other Burghs of Regality and Barrony, within the Shire of Roxburgh, which is herewith produced and repeated: Whereby it will appear, that the proportion laid upon these Burghs was far beyond the proportion of their trade, with respect to the rest of the trading Burghs of Regality and Barrony within the Kingdom, since especially they ly far from all Sea Ports, and have little occasion either to export the staple commodities of the Kingdom, more than is allowed to all the leidges by former Acts, or importing of forraign commodities, their small trade consisting principally in retailing such commodities as are bought by them from the free men of Royal Burrows, which is also allowed by former Acts.

May it therefore please your Lordships, upon consideration of the premisses, to modifie such a small proportion of the ten pound imposed during Mr John Buchan's tack, as your Petitioners may be capable to bear, and to communicat to them the benefit of the Act for Communication of Trade, upon payment of such a small proportion of the burden to be imposed upon the Burghs of Regality and Barrony, as your Lordships and we shall agree upon for time coming, according to Justice and your Lordships Answear.

Edinb: 20 March 1699.

THE Commission of Parlt haveing considered this Petitione They doe modifie the quota of the taxt roll payable by the Toun of Kelsoe to the soume of eight shilf Scots with a proportionall releif to the sd Toun from the rest of the onfrie Traders within the Shyre of Roxbrugh and approves the Report of the Committie anent.

MARCHMONT Cancellar. I. P. C.]

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[PETITION for Prestonpanns and Tranent.

UNTO the Right Honourable, the Lords and other Commiſsioners for the regulating of Trade, betwixt the Burghs Royal, and theſe of Regalitys, Barronies, and others,
The Petition of the Town and Parochiners of Preſtounpans and Tranent.

Humbly Sheweth,

THAT where by ſeveral Acts of Parliament, and particularly by the 20 Act of the laſt Seſſion of the preſent currant Parliament, there are methods laid down, and a Committee propoſed for regulating of Trade, and allowing a communication to ſuch as ſhall accept thereof: And your Petitioners being informed, that our trade is greatly miſtaken, and by propoſalls to be given to your Lordſhips, we are liſted at an double greater rate than we can bear: Wherefore in all humility, we beg pardon to repreſent to your Lordſhips, 1mo. That it is known during the whole time of Mr John Buchans tack, this has been a place of little or no trade, our ſhips having been taken in the beginning of war, and that there only remained of therteen 3 or 4, and of which number, there would not have been ſo much as one imployed or fraughted by your Petitioners in a years time, but what were conduced by merchants from Edinburgh, and other places. 2do. Our Town is become much depoperat by what it was 10 or 12 years ago, and there is nothing now but ruinous houſes, where there lived formerly perſons of a conſiderable trade. 3tio. The greateſt commodity of the place, and wherein our trade conſiſts, is of Coal and Salt, and which does not come under the compaſs of the Act of Parliament for communication; So that our loſſes having been ſo great, and our trade ſmall, After a general meeting of the ſaid Towns and Parochiners, we were once reſolving to renounce the benefit of communication, the which your Petitioners continued in allenarly, out of the expectation of an eaſe, when the ſame ſhould be caſten equally.

It is therefore humbly craved, that the honourable Committee would conſider the premiſſes, and the propoſals herewith given in, whereby it will evidently appear, that our ſaids Towns and hail Parochins cannot be taxed for ther communication monthly, above 9 or 10 ſh. at moſt, or if any doubt remain, its hoped your Lordſhips will allow us an hearing, and liberty to adduce witneſſes, who knows our trade, ſhipping, and how they are imployed, and other documents, whereby the verity of the premiſſes may be inſtructed. And your Petitioners ſhall ever pray.

Edinb: 20 March 1699.

THE Commiſsione of Parlt appoynted for ſetling the Communicacone of Trade haveing conſidered this Petitione they modifie the quota of the ſtent roll payable by the Toun & Pariochen of Preſtonpans to twelve ſhilt thrie pennies and by the Toun & Parioch of Tranent Aberlady & Dirletone four ſhilt thrie pennies with releife to the ſds Touns & Pariochs from the remanent onfrie Traders within the Shyre of Hadington.

MARCHMONT Cancellar. I. P. C.]

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[PETITION for the Toun of Hawick.

UNTO the Right Honorable the Commiſsioners appoynted for regulateing of trade betwixt Burghs Royall Regality & Barony,
The Petitione of Patrick Richardſone & Robert Hardie merchants in Hawick (belonging to her Grace the Dutches of Buccleugh) for themſelves & in name and behalf of the other traders within the ſaid toun of Hawick.

Humbly Sheweth,

THAT the ſaid toun of Hawick being more remote and farder diſtant from the Sea then any other toun of Scotland being above thretty myles, so that they neither bring home nor vend any staple commodities, at leaſt what they vend is but very inconſiderable, and bought aither from merchants in Edr or Jedburgh, and that any goods they trade with is but the product of the countrey ſuch as ſkins, wool, cheeſe, &c. Lykeas by reaſone of the ſcarcitie theſe years bypaſt which yet continues, ther trade is very much decreaſed and almoſt altogether ruined, which is well known to the haill countrey about so that they are unable to bear any proportione of the taxt allowed to be impoſed by the Royall Burrows conforme to the late Act of Parliament.

May it thairfor pleaſe yor Lo, to take the premiſſ to yor ſerious conſideratione and to frie and exeem us from any proportione of the taxt to be laid on by the Royall Burrows upon Burghs of Barronie or Regality ſieing we are not able to pay the ſamen for the reaſones forſaid and to abſolve us therefrom And yor petitioners ſhall ever pray.

Edinb: 20 March 1699.

THE Commiſsione of Parlt for ſetling the communicacon of trade haveing conſidered this petitione they modifie one ſhilt ſix pennes Scots as the quota of the ſtent roll payable by the toun of Hawick monethly with ane proportionall releife from the reſt of the onfrie traderes within the ſhyre of Roxbrugh and approves the report of the Committie ꝑanent.

MARCHMONT Cancellar. I. P. C.]

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THE general Stent Roll of the haill quotas and proportiones laid upon the haill Burghs of Regality Barrony and other unfrie traders within the Kingdome alſo read with the report of the Committy theranent It was objected that the ſaid Stent Roll did mentione the quotas of the unfrie traders to be payable to the cheif Royall Burgh of the ſeaverall ſhyres therein ſpēit which imports that the Burghs Royall are in the firſt place to be lyall for the ſaid quota and they only to have ther releif from the unfrie traders which is contrair to the deſigne of the Act of Parlt which does exime the Royall Burrowes from all payment of the ten pound of the taxt roll laid upon unfrie trade To which it being anſwered that the Act of Parliament does not exime the Royall Burrowes but only ordained them to have releif therof from the unfrie traders And it is not the Kings intereſt to quite the Royall Burrowes at leaſt they ought to be obleidged to collect and pay in the ſame And after ſome debeat in the ſaid matter the conſideration therof was delayed till the nixt Sederunt of the Commiſsion And in the mean tyme they reſolved to proceid to conſider the quotas & proportiones contained in the generall Stent Roll produced.

ANE Petition for the toun of Burrowſtounneſs, ane other for the toun of Monygaff, one for the toun of Dune and ane other for Stoneheaven all complaining of the quotas laid upon them by the ſtent roll read and the deſyre of all the ſds Petitiones refuiſed.

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[REPRESENTATION for the Town of Borrowſtounneſs, humbly offered to the Commiſsion for setling of Trade.

THE Town of Borrowſtounneſs by a Memorial given in by their neighbour Burgh Royal, is repreſented to be a place of conſiderable trade; and they magnifie the ſame by alledging that there pertains thereto above 24 great Ships, and this is done of purpoſe to oblige the inhabitants either to deſert the Burgh, or live under their protection a thing aimed at by them theſe 50 years bygone.

The inhabitants of the Town of Borrowſtounneſs, leaſt a burden unſupportable be laid upon them, to the deſtruction of trade,

and the ruine of the Burgh in time coming, begg leave to repreſent, their trade and intereſt in theſe Ships; And firſt, Albeit there be twenty Ships that belong to the Town, or rather whoſe maſters and mariners live within the Town; yet it will not therefore follow, that all theſe Ships belong to the people inhabitants therein. For firſt, It can be made appear, that more than the one half of theſe Ships do belong properly to Hollanders, and other forraigners. 2do. It conſiſts with the knowledge of many of the Members of the Convention of the Burrows, that there are few merchants in Edinburgh, Glaſgow, Stirling, Air, Lanerk, Linlithgow, Kilmarnock, Falkirk, Allowoy, &c. but have a share in theſe Ships, and even ſome of themſelves are owners of a part of them. And if it were ſit, there is one merchant in Edinburgh might be inſtanced, who hath a share of all the Ships belonging to Borrowſtounneſs, except one or two at moſt. 3tio. The haill inhabitants own proper shares of all the Ships, being accumulat together, will not make up two Ships of the haill number, as ſhall be made appear, ſo that it may be evident, that what advantage ariſes through the imploying of theſe Ships, redownds to the inhabitants of theſe Towns. And Borrowſtounneſs is only the part where the Ships belonging to, and imployed by merchants in Burghs Royal do anchor, as being the place moſt fitt for that end, above all the harbours in Forth.

Secondly, It is likewayes inſinuat, that theſe Ships are imployed in the trade of the inhabitants only; It may be eaſily anſwered to this, that it conſiſts with knowledge of ſeverals of the Honourable Members of the Commiſſion, and with almoſt all of the Members of the Convention of Burghs, that the Ships belonging to Borrowſtounneſs, are imployed in carrying home and abroad the goods of the merchants of Edinburgh, Glaſgow, and other Burghs above mentioned: And there has not been theſe many years, any goods exported or imported for the merchants of weſt countrey Burghs from Holland, but have been imported at the Port of Borrowſtounneſs, which can be made appear by the Cuſtomhouſe Books; ſo that it muſt not be underſtood to be the trade of the inhabitants, but the trade of the Burghs Royal that imploy theſe Ships. 2do. When the Ships want occaſion to be imployed by the merchants in Burghs Royal, the maſter ordinarly loadens his Ship with coal, upon the account of the owners of the Ship: And the greateſt Ship belonging to the place, can be loadned for a thouſand merks, the returns either comes home in money, or the maſter ſets foreward to Norreway and returns timber; ſo that one part of twenty, either of the loadning or fraught, will not belong to the Town: And this timber, when imported, is conſumed upon the coal and ſalt work; ſo that by Act of Parliament, the export of coal, and what is imported for the uſe of manufactories and ſocieties, is not to be comprehended with the priviledge of the Royal Burrows, but is declared to be free to all the leidges. 3tio. There is great quantities of goods imported to this place by merchants in Burghs Royal, and retailed by them, and their factors and servants in their names. And beſides others, one merchant in the Town of Lanark can be inſtanced, that theſe ten years bygone, hath kept his warehouſe, and retailed yearly more than an hundred hogsheads of lintſeed, beſides other goods, which is ſtill repute the Trade of our Burgh, by the Burgh of Linlithgow. And it were as reaſonable to alledge that the whole goods ſold and vended in their fairs and mercats belongs to themſelves, becauſe ſold and vended upon their own ground. 4to. It ſhall not be denyed, but there are a few who trade with coal to Holland, and either import a ſmall quantity of Dutch goods, or timber from Norway: But this trade is only in the hands of a few, and is all the trade any within the Burgh enjoy, as is well known to many of the members of Burghs, and how inconſiderable that trade is, and that it will not fall out, that one Ship will go upon the risk of the inhabitants in one year, may be proven by the Cuſtomhouſe Books: And when timber is imported, it will be five years before it be ſold, and three years before the price be got in.

Thirdly, The coal which is the only ſupport of our ſhiping and trade, within two myles of Borrowſtounneſs, is near worn out, and that which remains, is ſo decayed, that the proprietars thereof are not able (through the great charges in winning them, and the ſmall prices at home and abroad) to keep their work going; ſo that in a ſhort time there will be a total decay of coal, and the place quite deſerted and depopulat, ſuch as many Burghs on both ſides of the river of Forth, whoſe trade was far more conſiderable than ours.

Fourthly, In the town of Borrowſtounneſs, there is not a retailing ſhop, where there can be bought one ſixpence worth of Engliſh, French, or other forraign goods: And what is ſold in ſhops being only native goods, one ſhop keepers book in our neighbour Burgh, is worth all the ſhops in our Burgh.

Fifthly, The Town has not one ſixpence of common good, but on the contrar, they pay 800 merks of Stipend out of their own privat pockets; whereas, Linlithgow hath a common good of near 10000 merks yearly. 2do. Through the decay of trade, the puting out of above 150 ſeamen upon our own expence, to ſerve in the late warrs (ſome of which were killed) and the preſent ſcarcity hath brought near an hundered families to be ſupplyed upon the charity of their neighbours; and ſuch as were in condition to ſupply others do extreamly want themſelves. And ſeing the occaſion of our trade is coal, and that the export and import, is the ſtock of the merchants in Burghs Royal, the firſt is near exhauſted, and the ſecond have the real benefit of our trade; so that we ought only to be conſidered as temporarie ſervants to the Burghs Royal.

This being the ſtate of our trade, and the condition of our Burgh, your Lordſhips are entreated to take our caſe to conſideration; and to lay on us no greater ſumm than ſixpence for bygones, leaſt there be no place left us for accepting of the benefit of export and import in time comeing, or uſing any kind of trade whatſoever, ſeeing probably what part of our ſtocks remains, will be exhauſted by payment of bygones.

May it therefore pleaſe your Lordſhips, not to take our condition wholly upon report; but to ordain the Cuſtomhouſe Books, the preſent and late Collectors of the King's Cuſtoms at the Port, to be examined; and to receive ſuch other probation as your Lordſhips ſhall think fit, for clearing the quantity of our trade, that we may only pay effeiring thereto. And your Petitioners ſhall ever pray, &c.

Edinb: 20 March 1699.

THE Commiſsione of Parla^t for ſetling the communica^n of trade haveing conſidered this Petitione they modifie the quota paya^ble by the Toun of Burrouſtounes to the ſoume of ſixtein ſhill^t Scots monethly with a proportionall releife from the onſrie traders w^in the ſhyre of Linlithgow.

MARCHMONT Cancellar. I. P. C.]

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[PETITION for the Town of Monygaff.

UNTO the Right Honourable the Earle of Marchmont Lord Heigh Chancellor and remanent Lords Commiſsioners for ſetling of Trade betwixt the Burghs Royall Regalities and Barronies,

The Petition of the inhabitants of the Town of *Monygaff* within the Stewartrie of [Kirkcudbright.]

Humbly Sheweth,

THAT where your petitioners are informed that your Lo, in ſubdividing of the quota of the taxt roll to be payed by the Burghs of Barrony and Regality have been pleaſed to appoint one ſhilling to be payed by us as our proportion of what is appointed to be payed by the heall Burghs of Barrony and Regality within the Kingdome we muſt crave leive to repreſent to your Lo, that as our trade is no wayes proportionable to the

ſd quota ſo we are no wayes in a condition to make payt of the ſamen for we are none of thoſe Burghs who have either export or import we being in the remoteſt place of the Stewartry of Kirkcudbright and no ſea port near us And as to any trade by retailling we never had the ſame and any trade we had was buying corne from the countrey and ſelling it to the Shyre and Stewartrie in meall and malt which is now altogether ceaſt by reaſone of a new Burgh of Barrony lately erected in the opr ſide of Crie Water oppoſit to us belonging to the Laird of Caſtle-ſtewart ſo that as our trade is ceaſed as a neceſsary conſequence pr of we are become poor and not in a condition to pay any part of the taxt roll farr leſs the one ſhilling now impoſed.

May it pr fore pleaſe your Lo, to take tryall of our trade and of our circumſtances and condition for the time to lay upon us ſuch a proportion as your Lo, ſhall find agreeable to our trade and circumſtances And if any difficulty remaine with your Lo, allow us to be heard in your oune preſence, according to juſtice & your Lo, anſr.

Edinb: 20 March 1699.

THE Commiſsione of Parlt for ſetling the communicaone of trade haveing conſidered this petition they doe modifie one ſhilt Scots to be payed by [the] Toun of Monygaff and ane opr one ſhilt to be payed by the Toun of Old Clachan of the taxt roll monethly with releiſe to them from the reſt of the haill onfrie traders within the Stewartrie of Kircudbright.

MARCHMONT Cancellar. I. P. C.]

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[PETITIONE for the Toune of Doune.

UNTO the Right Honorable the Earle of Marchmont Lord High Chancellar and remanent Lords Commiſsioners for ſettling of Trade betuixt the Burghs Royall Regalities and Barronies,

The Petitione of the inhabitants of the Toune of Doune within the Shyre of Peirth.

Humblie Sheweth,

THAT where your petitioners are informed that your Lo, in ſubdivydeing the quotta of the taxt roll to be payed by the Burghs of Barronie and Regalitie have been pleaſed to appoynt three ſhilling to be payed by us as our proportione of what is appoynted to be payed by the whole Burghs of Barronie and Regalitie within the Kingdome, we moſt crave leive to repreſent to your Lo that as our trade is noewayes proportionable to the ſaid quotta ſoe we are noewayes in a conditione to make payment of the ſamen for wee are none of thoſe Burghs who have either export or import wee being noe leſs then fyfteen miles diſtant from any ſea port And as to any trade by retailling which we formerlie had the ſamen is altogither ceaſed by the erectione of the Fort at Inverlochie ſeing the ſaid Fort doeth now furniſh any who were in uſe to buy any merchant wair from us ſoe that as our trade is ceaſed as ane neceſsary conſequence therof we are become poor and not in a conditione to pay any pairt of the taxt roll farr leſs the three ſhilling now impoſed.

May it pr for pleaſe your Lo to take tryall of our trade and of our circumſtances and conditione for the tyme to lay upon us ſuch a proportione as your Lo ſhall find agreeable to our trade and circumſtances And if any difficultie remaine with your Lo allow us to be heard in your oune preſence, according to juſtice and your Lo anſuer.

Edinb: 20 March 1699.

THE Commiſsione of Parlt for ſetling the communicaon of trade haveing conſidered this petitione they modifie the quota payable by the Toun of Doun to the ſoume of one ſhilling elleven pennies Scots of the taxt roll monethly and approves the report pranent.

MARCHMONT Cancellar. I. P. C.]

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[PETITION for the Inhabitants of Stainhaive.

UNTO the Right Honorable the Lord High Chancellour and remanent Commiſsioners appoynted for regulateing of Trade betwixt the Royall Burrows, Burghs of Regality and Barrony,

The Petition of Robert Scott and James Thomson burgeſses of Bervie and indwellers in Stonhayve for themſelves and in name and behalfe of the reſt of the inhabitants of the ſaid Burgh of Barrony of Stonhayve.

Humbly Sheweth,

THAT where the ſaid town although a Burgh of Barrony belonging to the Earle Mariſhall yet the ſamen wes never a town of any trade but fewers to the ſaid Earle they never haveing any trade or ſhiping from abroad and any goods they ſell within themſelves they buy the ſamen either from the merchants of Montroſe or Aberdeen and the only Royall Burgh in the ſhyre is the town of Bervie and who have the only litle trade that is and any merchant that lives in Stonhayve payes ſtent to the Town of Bervie yearly and althoagh the Town of Stonhayve hath been at ane vaſt charge and expence for building of ane harbour and yearly repairing the ſamen it lyeing to the open Ocean and is of great uſe and ſaves many ſhips paſsing south and north in tyme of ſtorme when they can have no other harbour to ſhelter yet there wes not a ſhip unloaded there theſe nyne years paſt but one with dales which belonged to ane merchand who payes yearly ſtent to the Town of Bervie And it is farder to be conſidered that as they have no trade with ſteple commodities or other goods they have been at great loſs ſince the Revolution by haveing alwayes ſome of the troops quartered on them in the winter tyme and whenever the foot marched south and north they were quartered alwayes a night both in comeing and goeing (it being twelve myles from Aberdeen and ſixteen from Montroſe) wherby the inhabitants were greatly prejudged and many of them brought to poverty the ſouldiers haveing oft tymes gone without paying ther quarters and particularly Pollock's troop are due to the inhabitants for ſix hundred merks contracted in one winter wherof they could never recover a ſixpence notwithſtanding there wes ſeverall applications made for the ſamen and the place is knowen to be ſo poor that the Burrows in July laſt gifted them three hundered merks for helping ther harbour and if they get not ſome allowance yearly they will not be able to ſupport the ſamen haveing brought themſelves ſo low in building the new pear And it is very weell knowen that the harbour ſaved many ſhips from the French Capers dureing the tyme of warr and which Captaine Livingſtoun then Governour of Donottar can very weell teſtifie he haveing given often tymes aſsiſtance both with the guns and his ſouldiers.

May it therfore pleaſe your Lordſhips to take the premiſs to your ſerious conſideratione and to free and exeem us the inhabitants of Stonhyve from any proportion of the taxt to be laid on by the Royall Burrows upon the Burghs of Barrony or Regallity both for bygones and in all tyme comeing ſeeing we have no trade nor vends any goods but what wee buy from merchands of Royall Burghs.

Edinb: 20 March 1699.

THE Commiſsione of Parlt haveing conſidered this Petitione They *modifie two* ſhilt four pennies Scots of the taxt roll to be payed by the Toun of Stonhyve monethly with releiſe to them from all the onfrie Traders within the Shyrdome of Kincairdin.

MARCHMONT Cancellar. I. P. C.]

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THEREFTER the generall Stent Roll being read and conſidered by the Commiſsion the ſame was by pm voted and approven.

ANE Overture read for the better inbringing of the ſaid ſtent laid upon the unfrie Trade and that all handie craftſmen ought to be lyaⁿ in payment of the ſame alſo read and the conſideration therof delayed till the nixt Sederunt.

AS alſo the Overture anent the payment of the ſixtein moneths ceſs that wes due by the unfrie Traders effeiring to the ten pound from Lambeſs Iᵐ vjᶜ nynty ſeaven at which tyme Mʳ John Buchans contract expyred to Candlemeſs Iᵐ vjᶜ nynty nyne alſo read & the conſideration therof delayed till the nixt Sederunt.

THE Commiſsion adjurned till Wedensday nixt at three a clock in the effnoon.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion for Trade Mar. 28, 1699.

SEDERUNT.

The Lord Chancellour.	Sir Adam Gordoun.
Duke of Queinſberry.	Proveiſt of Edinburgh.
Earle of Mar.	Sir Archbald Muire.
Earle of Lothean.	Baillie Menzies.
Earle of Loudoun.	Sir John Swintoun.
Lord Advocate.	Sir James Smallot.
Lo, Whytehill.	

MINUTS of the last Sederunt read.

THE Overture anent the better inbringing of the ſtent laid upon the unfrie Traders and that handie crafts are lyable in payment of a pairt therof read, and delayed untill the other Overture anent the payment of the ten moneths ceſs due by the unfrie Traders from Lambeſs 1697 to Lambes 1698 be conſidered.

THEN the ſaid laſt Overture wes read & after ſome debeat it was moved Whither the Burghs of Regality and Barrony & other unfrie Traders ſhould be lyaⁿ in the ſame quota of the taxt roll from Lambeſs 1697 to Lambeſs 1698 as they payed yearly the ſeaverall years of Mʳ John Buchans contract or in a third a half or two thirds of the ſamen, And it being overtured by ſome that the vote ſhould be Whither a third or a half and by others that the vote ſhould be two thirds or a half The queſtion wes ſtated what ſhould be the vote Whither the firſt propoſitione viz. a third or a half or the ſecond propoſition a half or two thirds And it carried the firſt propoſition And then the vote wes againe ſtated whither the unfrie Traders ſhould be lyaⁿ in a half or a third of the ten pounds of the taxt roll and Carried in a third pairt only being for the ſpace of ten moneths the ſowme of three hundred and therty three pound ſix ſhilling eight pennies Sterline which wes appoynted to be payed to Andrew Myretoun one of the Commiſsʳˢ of the Airmy or to Robᵗ Rutherfoord receaver depᵗ or his order within the reẍive Shyres for the uſe and behoofe of the ſd Andrew Myretoun And the Royall Burrowes ordained to pay ſix hundred and ſixty ſix pound thertein ſhilling four pennies as the two thirds of the ſaid thouſand pound Sterling wherof two hundred pound Sterling to Mʳ John Buchan formerly advanced and payed by him to the ſaid Andrew Myretoun and the remainder being four hundred and ſixty ſix pound thertein ſhilling four pennies to the ſaid Andrew Myretoun himſelf.

THE former Overture anent the better inbringing of the ſtent laid upon unfrie Traders and that handie crafts are to be lyaⁿ in a proportionall pairt therof with the report of the Committy read And after ſome amendments ordered that ane Act be brought in therupon againſt the nixt Sederunt.

THE Commiſsion adjurned till to morrow the twenty nynth instant at nyne a clock in the morning.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion for Trade Mar. 29, 1699.

SEDERUNT.

Lord Chancellour.	Sʳ Adam Gordoun.
Earle of Mar.	Proveiſt of Edinburgh.
Lord Advocate.	Sʳ Archbald Muire.
Lord Halcraig.	Sʳ James Smallot.
Lord Whytehill.	Baillie Menzies.
Sir John Swintoun.	

THE Minutes of the laſt Sederunt read.

THE Act for the more effectuall inbringing of the ſtent laid upon the Burghs of Regality and Barrony and other unfrie Traders read and ſome amendments made therupon.

A PETITION given in by the Royall Burrowes creaveing the Commiſsion to reconſider ther former vote of the twenty eight inſtant and a rectification of the proportion read and after ſome debeat the Burghs of Regality and Barrony and other unfrie Traders allowed to ſie and anſwer the ſame againſt the nixt Sederunt of the Commiſsion.

THE Commiſsione adjourned till to morrow at nyne a clock.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion for Communication of Trade Mar. 30, 1699.

SEDERUNT.

The Lord Chancellour.	Sir John Swintoun.
The Duke of Queinſberry.	Sir Adam Gordoun.
Earle of Mar.	The Proveiſt of Edinburgh.
Earle of Loudoun.	Sir Archbald Muire.
Lord Advocate.	Sir James Smallot.
Lord Halcraig.	Baillie Menzies.
Lord Whytehill.	

MINUTS of the laſt Sederunt read.

A PETITION for the Royall Burrowes read creaveing ane Rectification of ther ſhare of the thouſand pound Sterling laid upon them by vote of the Commiſsion the twenty eight inſtant And ther being noe anſwers therto It wes moved that the ſaid thouſand pound Sterling might be equally divided betwixt the Royall Burrowes and the unfrie Traders And others moved that the former Interloqʳ ought to ſtand which laid only ane third pairt of the ſaid ſowme upon unfrie Trade It wes put to the vote whither or not upon the conſideraᵒn that the unfrie Traders had the benefit of retaill contrair to the Act of Parliament from Lambes Iᵐ vjᶜ nynty ſeaven to Lambeſs Iᵐ vjᶜ nynty eight they ſhould be lyaⁿ to pay the half of the ſaid ſowme of one thouſand pound Sterling as the ſaid ten moneths ceſs or if they ſhould pay only ane third pairt therof And it carried that they ſhould pay the half Of the which Petitione the tenor followes viz. The Royall Burrowes doe with all ſubmiſsion intreat ther Lordſhips to reconſider ther Interloqʳ laying only a third of the ten pound upon the unfrie Traders for the ten moneths from Lambeſs Iᵐ vjᶜ nynty ſeaven to Lambeſs Iᵐ vjᶜ nynty eight years ſeing in that year they are lyable for retaill alſe weill as export and that ther very export comes to more then a third of the ſaid ten pound And that ther Lops might eaſily conceave when the Parliament thought the ten pound yearly for Mʳ John Buchan's fyve years a juſt proportione for the unfrie Traders a third therof cannot but be too litle for the year ſubſequent Lykeas ſome of the unfrie Traders were content ther proportion ſhould be the half And therfor creaveing ther Lops would be pleaſed to reconſider the ſaid matter and rectifie the forſaids proportiones

WHICH Petition being upon the ſaid thirtieth day of March I^m vj^c nynty nyne years read in preſence of and heard ſein and conſidered by the ſaids Lords & others of the ſaid Commiſsion of Parliament and they therwith, &c. And conſidering that noe anſwers were made therto by the Burghs of Regality Barrony and other unfrie Traders The Lords and others of the ſaid Commiſsion of Parliament did alter & heirby alters ther former vote and ordained and heirby ordaines the ãwr̃ine ten moneths ceſs to be equally divided betwixt the Royall Burrowes and the Burghs of Regality Barronie and other unfrie Traders And that in regaird by the Acts of Parliament the unfrie Traders were lyable the year before written alſe weill for retaill as export which ten moneths ceſs extending to ane thouſand pound Sterling the ſaid Commiſsion have appoynted & heirby appoints to be payed as followes viz. fyve hundred pound Sterling by the Burghs of Regality Barrony and other unfrie Traders and the other fyve hundred pound Sterling by the Royall Burrowes of which two hundred pound Sterling of the Royall Burrowes ſowme to be payed to Mr John Buchan which he advanced to Andrew Myretoun ane of the Commiſsers of the Airmy and the remander three hundred pound due by them with the fyve hundred pounds due by the unfrie Traders to the ſaid Andrew Myretoun conforme to their reſpective ſtent rolls.

ANENT the Petition given in and preſented to the Lords and others of the Commiſsion of Parliament for ſettleing the communication of trade by Mr John Buchan agent to the Royall Burrowes ſhewing that where the petitioner haveing undertakine to releive the Royall Burrowes of ten pound of ther taxt roll for ane tack ſett by them to him of the unfrie trade which tack wes ratified in Parliament And in proſecu^on therof the ſupplicant did intent ſeall proceſses and therupon did obtaine dec^ts for conſiderable ſowmes but being allwayes ſo tender of the peace and quiet of the countrey that he choyſed raither to treat and tranſact with the perſones lyable in a freindly maner then to take the advantadges of law Yet notwithſtanding all theſe meanes proved ineffectuall ſo that the Parliament in the laſt Seſsion therof found it juſt to interpoſe ther authority towards the petitioner his payment and ſatisfactione And now the execu^on therof being putt in ther Lõps hands it is humbly repreſented for the ſupplicant that his preſent circumſtances are ſo preſsing and havie that nothing but ther Lõps caire and concerne for ane ſpeidy releif can preſerve him and his family from utter ruine conſidering that he is at this moment upwards of fourſcore ten thouſand pounds of advance upon the unfrie trade conforme to ane accompt therwith produced wherby it will eaſily appear to ther Lõps what neceſsitous condition he is under And therfor humbly creaveing that ther Lõps would take the premiſses to ther conſidera^on and take ſuch effectuall meanes as may operat the petitioners releif and extricate him from the havie burdein which he & his poor family are expoſed unto as the ſamen bears WHICH petition being upon the ſcond day of February laſt read in preſence of and heard ſein and conſidered by the Lords & o^rs of the ſd Commiſsion and they therwith &c. The Lords & others of the ſaid Commiſsion of Parliat did remitt to the Duke of Queenſberry, Earle of Argyle, Earles of Loathean & Loudoun Lord Carmichaell, Lord Preſident of the Seſsion, Lo. Advocate, Lord Halcraig, Sir John Swintoun, the Laird of Kelburne, the Proveiſt of Ed^r, Sr Archbald Muire, Sr James Smallot, and John Anderſone of Dowhill as a Committie to conſider the forſaid petition with Mr John's accompt relative therto and to hear him and the other perſones concerned upon ſuch propoſalls as ſhould be offered for his reimburſement of the ſowmes which he had advanced on the accompt forſaid And alſe to hear the Burghs of Regality & Barony and other unfrie traders on the ſeall propoſalls and overtures to be made by them and to report ther opinion anent the ſaids par^lars from tyme to tyme to the Commiſsion and appoynted any three of the perſones above named to be a quorum ther being at leaſt one nobleman or barrone and one of the Burrowes preſent at each Sederunt And appoynted the firſt meitting to be on Munday then nixt at ten a clock in the foornoon in the laigh Toun Counſill Houſe and from thence to adjurne themſelves from tyme to tyme as they ſhould ſie cauſe Conforme to which remitt the ſaid Committie haveing ſeaverall tymes mett with the ſaid Mr John Buchan who for inſtructing the ſowmes due to him did produce firſt befor the Committy and therefter befor the Commiſsion the accompt underwr̃ine conſiſting of two pages the firſt page being ane accompt of the ceſs effeiring to the ten pound of the ſtent roll laid upon the Burghs of Regality Barrony and other unfrie traders dureing the fyve years ſpace of his contract viz. from Lambeſs I^m vj^c nynty two incluſive to Whytſunday I^m vj^c nynty ſeaven alſo incluſive with the intereſt and miſsive dues effeiring to the ſaid ten pound And the ſecond page of the ſaid accompt being the three pound ten ſhilling of addition for Mr Buchans charges with the intereſt due therupon Of the which accompt the tenor followes viz. Imp: at Lambeſs I^m vj^c nynty two yeirs two and a half moneths ceſs is two hundred and fyfty pound and annual rents therof to Candlemeſs I^m vj^c nynty nyne years retention allowed is nynty pound eightein ſhilling and nyne pennies Inde three hundred and fourty pounds eightein ſhilling nyne pennies Item at Candlemeſs I^m vj^c nynty three years two & a half moneths ceſs is two hundred and fyfty pound and ãrents therof is eighty three pound eight ſhilling nyne pennies Inde three hundred and therty three pound eight ſhilling nyne pennies Item at Whytſunday I^m vj^c nynty three three a half moneths three hundred and fyfty pound and ãrent therof one hundred and eleiven pound eleven ſhilling three pennies Inde four hundred and ſixty one pound eleiven ſhilling three pennies It at Lambeſs I^m vj^c nynty three two and a half moneths is two hundred and fyfty pound ãrents p^rof ſeaventy fyve pound eightein ſhilling nyne pennies Inde three hundred and twenty fyve pound eightein ſhilling nyne pennies It at Mertimeſs I^m vj^c nynty three years three and a half moneths is three hundred & fyfty pound ãrents therof one hundred and one pounds one ſhilling three pennies Inde four hundred and fyfty one pound one ſhilling three pennies It at Candlemeſs I^m vj^c nynty four two & a half moneths is two hundred and fyfty pound and ãrents therof ſixty eight pound eight ſhilling nyne pennies Inde three hundred and eightein pound eight ſhilling nyne pennies Item at Whyt I^m vj^c nynty four three and a half moneths is three hundred and fyfty pound & ãrents therof nynty pound eleiven ſhilling and three pennies Inde four hundred and forty pound eleiven ſhilling three pennies Item at Lambeſs I^m vj^c nynty four two and a half moneths is two hundred and fyfty pound & ãrents p^rof ſixty pound eightein ſhilling nyne pennies Inde three hundred and ten pound eightein ſhilling nyne pennies Item at Lambeſs I^m vj^c nynty fyve three moneths is three hundred pound & ãrents therof fyfty fyve pound ſeaventein ſhilling ſix pennies Inde three hundred and fyfty fyve pound ſeaventein ſhilling ſix pennies Item at Candlemeſs I^m vj^c nynty ſix three moneths is three hundred pound & ãrents therof fourty eight pound ſeaven ſhilling ſix pennies Inde three hundred and fourty eight pound ſeaven ſhilling ſix pennies Item at Lambeſs I^m vj^c nynty ſix three moneths is three hundred pound ãrents therof fourty pound two ſhilling ſix pennies Inde three hundred and fourty pound two ſhilling ſix pennies Item at Mer̃ I^m vj^c nynty ſix two moneths is two hundred pound ãrents p^rof is twenty three pounds fyfetein ſhilling Inde two hundred and twenty three pound fyfetein ſhilling Item at Candlemeſs I^m vj^c nynty ſeaven years two moneths is two hundred pounds ãrents p^rof twenty one pound fyve ſhilling Inde two hundred and twenty one pound fyve ſhilling Item at Whytſunday I^m vj^c nynty ſeaven two moneths is two hundred pound and ãrents p^rof eightein pound fyfetein ſhilling Inde two hundred and eightein pound fyfetein ſhilling Summe is four thouſand ſix hundred nynty one pounds Summ of the miſsive dues for the bygone years for the ten pound as per accompt fyve hundred and ſix pound nyne ſhilling eight pennies and a third pairt of a pennie Summa of

the whole page is fyve thoufand one hundred and nynty ſeaven pound, nyne ſhilling eight pennies and a third pairt of a pennie money forſd Followes the ſecond page of the ſaid accompt Item two and a half moneth of the augmentation being therty fyve pound per moneth is eighty ſeaven pound ten ſhilling & ãrent of the ſaid augmentation to Candlemeſs I^m vj^c nynty nyne years retention allowed is therty one pound ſixtein ſhilling one pennie Inde one hundred and nynetein pound ſix ſhilling one pennie Item two and a half moneths additionall is eighty ſeaven pound ten ſhilling ãrents therof twenty nyne pounds four ſhilling ane pennie Inde one hundred and ſixtein pound fourtein ſhilling one pennie Item three and a half moneth additionall one hundred and twenty two pound ten ſhilling ãrents therof is therty nyne pound eleiven pennies Inde one hundred and ſixty one pound ten ſhilling eleiven pennies Item two and a half moneths additionall is eighty ſeaven pound ten ſhilling & ãrents therof twenty ſix pound eleiven ſhilling ſeaven pennies Inde one hundred and fourtein pound one ſhilling ſeaven pennies Item three and a half moneths additionall is one hundred and twenty two pound ten ſhilling and ãrents therof therty fyve pound ſeaven ſhilling fyve pennies Inde one hundred and fyfty ſeaven pound ſeaventein ſhilling fyve pennies Item two and a half moneths additionall is eighty ſeaven pound ten ſhilling ãrents p^rof twenty three pounds nynetein ſhilling one pennie Inde one hundred and ten pound nynetein ſhilling one pennie Item three and a half moneths additionall is one hundred and twenty two pound ten ſhilling ãrents therof therty one pound thertein ſhilling eleiven pennies Inde one hundred and fyfty four pound three ſhilling eleiven pennies Item two and a half moneths additionall eighty ſeaven pound ten ſhilling & ãrents therof twenty one pound ſix ſhilling ſeaven pennies Inde one hundred and eight pound ſixtein ſhilling ſeaven pennies Item three moneths additionall is one hundred and fyve pound & ãrents therof nyntein pound eleiven ſhilling one pennie Inde one hundred and twenty four pound eleiven ſhilling one pennie Item three moneths additionall is one hundred and fyve pound & ãrents therof is ſixtein pound eightein ſhilling ſeaven pennies Inde one hundred and twenty one pound eightein ſhilling ſeaven pennies Item three moneths additionall is one hundred and fyve pound & ãrents therof is fourtein pound eleiven pennies Inde one hundred and nynetein pound eleiven pennies Item two moneths additionall is ſeaventy pound & ãrents therof is eight pound ſix ſhilling three pennies Inde ſeaventy eight pound ſix ſhilling three pennies Item two moneths additionall is ſeaventy pound & ãrents p^rof ſeaven pound eight ſhilling nyne pennies Inde ſeaventy ſeaven pound eight ſhilling nyne pennies Item two moneths additionall is ſeaventy pound & ãrents therof ſix pound eleiven ſhilling ſix pennies Inde ſeaventy ſix pound eleiven ſhilling ſix pennies Summe is one thouſand ſix hundred and fourty one pound ſeaven ſhilling three pennies Burrow miſsive dues upon the three pound ten ſhilling is ane hundred and ſeaventy ſeaven pound fyve ſhilling two and a half pennies Sterling Summa of this page is one thouſand eight hundred and eightein pound twelve ſhilling fyve pennies and a third part of a pennie Sterling money forſd as the ſaid accompt ſub^vet by the Earle of Marchmount Lord Chancellour upon the ſeaventh day of March inſtant fully proports Lykeas the ſaid Mr John Buchan did produce ane Proclama^on of Counſell of the date the eightеinth of Feb^ry I^m vj^c nynty ſeaven years againſt the unfrie Traders with ane Act of the Royall Burrowes in his favours of ꝑe date the eightein day of Nove^r the ſaid year I^m vj^c nynty ſeaven and which Committy having made report to the Commiſsion and they haveing again conſidered the forſd Petition and ſaids other wreats produced And alſe haveing heard the ſaid Mr John Buchan viva voce and ſuch of the unfrie Traders as made applica^on to them both by ther Petitiones and Lawiers at the bar and they being weill, &c. They upon the ſd ſeaventh day of March inſtant fand & heirby finds that the Burghs of Regality Barrony and other unfrie Traders are lyable to Mr John Buchan for the ten pounds of the hundred pound of the taxt roll laid upon the Royall Burrowes conforme to the contract ratified in the Parlia^t I^m vj^c nynty three and that for the fyve years ſpace mentioned in the ſaid contract viz. from Lambeſs 1692 to Whytſunday I^m vj^c nynty ſeaven incluſive extending to fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling eight pennies and a third pairt of a pennie Sterling conforme to the accompt mentioned in the ſaid Report And did remit to the Committy formerly named to conſider how the ſaid ſowme wes to be proportioned and divided amongſt the unfrie Traders and to hear all pairties objectiones and anſwers theranent and to report the ſamen againſt the nixt Sederunt of the Commiſsion And alſe fand the Burghs Royall lya^ll in pay^t to Mr John of the expenſes depurſed by him in proſecuteing of the ſaid contract againſt the unfrie Traders according as the Lords and others of ꝑe Commiſsion ſhould modifie the ſds expenſes And ordained & heirby ordaines the Royall Burrowes to pay the ſame conforme to ther proportiones mentioned in ther taxt roll and aſsoylzied and heirby aſsoylzies the Burghs of Regality Barrony and other unfrie Traders from the ſaid expence reſerveing to the Burghs Royall ther releif of the forſaid expence out of the fines due by theſe of ther inhabitants who have bein guilty of loadning and livering at unfrie ports and have bein pairtiners with unfrie men in ships and loadning contrair to the Act of the Royall Burrowes in the year I^m vj^c nynty one which wes aſsigned to the ſaid Mr John by his ſaid contract in the year I^m vj^c nynty two and ratified in the Parliament I^m vj^c nynty three and that dureing the ſpace of the forſaid contract as accords of the law Lykeas the ſaid Commiſsion of Parlia^t haveing upon the ſixtein day of the ſaid moneth of March inſtant conſidered the forſaid accompt given in by the ſaid Mr John Buchan of his expenſes mentioned in the ãwr̃ine Interloq^r extending to the ſowme of one thouſand eight hundred and eightein pound twelve ſhilling fyve pennies and a third pairt of a pennie Sterling money with the Proclamation of the Counſill and Act of the Royall Burrowes produced relative to the ſaid expenſes dated in Nove^r I^m vj^c nynty ſeaven They did modifie and heirby modifies the forſaid accompt of Mr John Buchans expenſes abovementioned to the ſowme of twelve hundred pound Sterling And have ordained and heirby ordaines the Royall Burrowes to make payment therof to the ſaid Mr John Buchan conforme to ther ſtent roll Lykeas upon the twenty day of the ſaid moneth of March inſtant the forſaid Commiſsion of Parliament haveing conſidered the ſtent roll underwr̃ine of the ten pound laid upon the unfrie Traders with the petitiones and objectiones of all pairties who did apply to them againſt ther particular quotas with the Report of the Committy to whom the proportioning therof wes remitted The Commiſsion did approve and heirby approves of the haill particular quotas and proportiones of the ſtent roll eſpr̃ſpēit And have interponned and heirby interponnes ther authority to the ſame and have ordained & heirby ordaines the ſaid ſtent roll to be the rule for pay^t of the money due to Mr John Buchan for the fyve years ſpace of his contract extending to the forſaid ſowme of fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling eight pennies and a third pairt of a pennie Sterling AND DECERNED & heirby decernes the inhabitants of the Burghs of Regality Barrony and other unfrie Traders within the Shyres and Stewartries eſtermentioned to make payment to the ſaid Mr John Buchan of ther ſaids proportiones accordingly Of the which Stent Roll the tenor followes viz. The unfrie Traders within the Shyre of EDINBURGH nynetein ſhilling ſix pennies wherof by the Paroches of Newbotle Leſwade Cockpen Cairingtoun Pennecook and Currie one ſhilling ſix pennies By the Paroche of St Cuthberts including Portſburgh Potterraw and Pleaſents three ſhilling ſix pennies By that pairt of the Toun and Paroch of Leith which payes ceſs with the Shyre and not with the Toun of Edinburgh The Abbay and Paroches of Curſtorphine and Cramound three ſhilling ſix pennies The Toun and Regality of Dalkeith fyve ſhilling ſix pennies the Toun and Regality of Muſſleburgh and Paroches of Dud-

ingſtoun Newtoun Libertoun Cranſtoun and Crichtoun fyve ſhilling ſix pennies With releif to the ſaids Tounes of Muſleburgh and Dalkeith from the unfrie Traders of the haill other Paroches of the ſd Shyre not named above to be divided by the Maſters and Magiſtrats of the ſaids Burghs with concurrence of the Earle of Louthean Sir Archbald Muire Baillie Menzies Mr William Calderwood Sheriff Depute or any one of them HADDINGTOUN ſixtein ſhilling wherof by the Toun and Parochine of Preſtounpanns twelve ſhilling three pennies by the Tounes and Paroches of Tranent Aberlady and Dirletoun four ſhilling three pennies With releif to the ſds Tounes and Parochines from the remnant unfrie Traders within the Shyre to be divided by the Maſters or Magiſtrats of the ſds Tounes of Preſtounpannes and Tranent with concurrence of the Lord Preſident of the Seſsion Lord Theaſurer Depute or any one of them BERWICK fyve ſhilling wherof by Dunce and the Parochine therof one ſhilling eleven pennies By Caldſtream one ſhilling, The Toun and Paroch of Greinlaw Fogo Gordoun and Polwart one pennie By Haymouth two ſhilling the Toun of Haymouth haveing releif from the remnant unfrie Traders within the Shyre to be divided by the Magiſtrats of the ſaid Burgh with concurrence of the Lord High Chancellour Sir Andrew Home Shirreff Dept Sr John Swintoun of that Ilk and Sir John Home of Blackadder or any one of them ROXBURGH eleiven ſhilling ſix pennies By the Toun of Kelſo eight ſhilling By Hawick one ſhilling ſix pennies By Langholme ten pennies By Melroſs ſix pennies By Yettam eight pennies With releif to the ſds Tounes from the reſt of the unfrie Traders within the ſaid Shyre to be ſubdivided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence of the Sherriff Prinll Sr John Swintoun of that Ilk and Sir John Home of Blackadder or any one of them LINLITHGOW one pound one ſhilling one pennie wherof by the Toun of Burrowſtounneſs ſixtein ſhilling By Graingepanns fyve ſhilling By Bathgate one pennie With relief to the ſaids Tounes of Burrowſtounneſs and Grangepanns from the reſt of the unfrie Traders within the ſaid Shyre to be divided by the Maſters or Magiſtrats of the ſds Tounes with concurrence of the Earle of Annandaill the Sherriff Prinll Depute or any one of þm PEARTH thertein ſhilling wherof By Dunkeld two ſhilling nyne pennies By Doun one ſhilling eleven pennies By Couper of Angus two ſhilling nyne pennies By Creiff one ſhilling ſix pennies By Ellioth two ſhilling three pennies By Dunblain one ſhilling ten pennies With releif to the ſaids Tounes from the reſt of the unfrie Traders within the ſaid Shyre to be divided by the Maſters or Magiſtrats therof with concurrence of the Sherriff Prinll Depute Stewart of Stratherne and Dept the Earle of Northeſk Lord Ruthven Lord Aberuchill and Proveiſt of Pearth or any one of þm KINCARDEN two ſhilling four pennies payll by Stonehyve with releif from the reſt of the unfrie Traders of the ſd Shyre to be divided by the Sherriff Prinll or any named by him with concurrence of the Sherriff Depute and Proveiſt of Aberdein or any one of them ABERDEIN thertein ſhilling wherof by the Toun of Old Aberdein two ſhilling With releif from the unfrie Traders within the Preſbitry of Aberdein lyand within the Shyre therof to be ſubdivided by the ſaid Toun with concurrence of the Sherriff Prinll Dept Proveiſt of Aberdein or any one of them By the Paroches of Ellon Udny and Foveran (excepting the Toun of Newburgh) fyve pennies to be divided by the Laird of Udny younger or Watertoun with concurrence forſd By the Paroches of Tarves and Methlick two pennies to be divided by the Earle of Aberdein or the Lord Haddo By the Paroches of Slaines and Cruden one pennie to be divided by the Earle of Erroll or any named by him By the Paroches of Old Dear New Dear Longſyde Sant Fergus Peiterhead and Toun therof two ſhilling four pennies to be divided by the Earle Mariſchell or Magiſtrats of Peiterhead with concurrence forſaid By the Paroches of Crimond Longmay Strechen Rathen Tyre Aberdour Pitſligo and Freſersburt and Toun therof four ſhilling eight pennies to be divided by the Lords Saltoun and Fraſer or Magiſtrats of Fraſersburt with concurrence forſaid By the Toun of Turriff nyne pennies With releif from the unfrie Traders within the Preſbitry thereof to be divided by the Earle of Erroll or his Baillie with concurrence forſaid By the Toun of Straboggy one ſhilling With releif from the unfrie Traders within the Preſbitry therof to be divided by the Duke of Gordoun or any named by his Grace with concurrence forſd By the unfrie Traders within the Preſbitry of Alfoord four pennies to be divided by the Lo, Forbeſs or any named by him By Kinkairinoneill three pennies By Charletoun fyve pennies By Tarlan ſix pennies With releif to the ſds three Tounes from the unfrie Traders within the Preſbitry of Kincairdine to be divided by the Maſters or Magiſtrats of the ſds Tounes with concurrence forſd By the Toun of Inch one pennie By the Toun of Old Meldrum eight pennies with releif to the Toun of Old Meldrum from the unfrie traders within the Preſbitry of Garioch to be divided by the Maſters or Magiſtrats of the ſd Toun with concurrence forſaid INVERNESS three ſhilling ſix pennies Wherof by Maryburgh two ſhilling ſix pennies By Bewlie one ſhilling With releif from the other unfrie traders within the Shyre to be divided by the Sheriff Prinll Depute the Laird of Coallodine and Proveiſt of Inverneſs or any one of them ROSS one ſhilling three pennies to be divided by the Toun of Tayne with concurrence of the Sheriff Prinll or Dept CROMARTY fyve pennies to be divided by the Magiſtrats of Cromarty with concurrence of the Viſcount of Tarbet, Sheriff of Cromarty and Sr Adam Gordoun of Dallfolly or any one of them ARGYLE three ſhilling payall by Campletoun With releif from the unfrie traders within the ſaid Shyre to be divided by the Earle of Argyle the Sheriff Depute or any one of the Magiſtrats of Inverary FYFFE ſeaventein ſhill. fyve pennies wherof by the Toun and Paroch of St Minnans ſix pennies By Ellie one ſhilling ſix pennies By the Paroches of Kilconquhare and Newburne eight pennies By the Toun and Paroch of Largo eight pennies By the Toun of Levine and Paroch of Scoonie one ſhill. By Weſter Weimes and the reſt of the Paroch of Weimes two ſhilling nyne pennies By the Toun of Dunekeir Paroch of Dyfert with Peathhead ten pennies By Linktoun Paroch of Abbotſhall Weſt Bridge of Links and Parochine of Kinghorn two ſhilling eight pennies By the Toun and Paroch of Aberdour and Paroch of Dalgety four pennies By the toun of Lymekills Corsfoord in Dumfermling Paroch and Paroch of Saline [sex pennies By the Toun of North Ferry] three pennies By the Toun and Paroch of Torriburne two pennies By the Toun and Paroch of Auchtermuchtie Paroches of Colefie Obtie and Moniemeall ten pennies By the Paroches of Stramiglo and Arnegaſk with the Toun of Stramiglo ſeaven pennies By the Toun and Paroch of Leſslie one pennie By the Toun and Paroch of Newburgh Paroches of Fliſk Balmerino and Dunbog ſeaven pennies By the Toun and Paroch of Markinſh one pennie By the Toun and Paroch of Kennochie two pennies By the Toun of Ferrie Portincraig the Water fyde of Dundie and the Paroch wherin the ſaid Water fyde lyes one ſhilling By the Toun and Paroch of Leuchars Kingſbarnes and Carnebee three pennies By the Toun of Lithrey and Paroch of Creich one pennie By the Toun and Paroch of Falkland Bingrie Baith Auchterderan Kinglaſsie Auchtertooll Kilmane and Ketle one ſhilling eleiven pennies With releif to the ſaid Toun of Falkland and forſaids Paroches therto adjoyned from the unfrie traders of the Shyre not above ſet down The forſaid fowmes to be divided by the Maſters and Magiſtrats of the forſaids Tounes upon the unfrie traders within the reſpective Paroches ãment As alſo within the other Paroches which are not above mentioned with the concurrence of the Earle of Melville the Earle of Levine the Sheriff Prinll or any one of them KINROSS four pennies payable by the Toun of Kinroſs With releif from the unfrie traders within the Shyre to be divided by the ſaid Toun with concurrence of Sir William Bruce his ſone the Sheriff Dept or any one of them FORFAR four ſhilling Wherof by the Hill of Dundie ten pennies By Glames ten pennies By Kerremuir two ſhilling four pennies

With releif from the unfrie traders of the Shyre to be divided by the faids Tounes with concurrence of the Sheriff Prin^{ll} Dep^{t} or Proveift of Dundie or any one of them BAMFF two fhilling Wherof by Portfoye one fhilling By Keith one fhilling With releif from the reft of the unfrie traders of the Shyre to be divided by the faids Tounes with concurrence of the Sheriff Depute or Proveift of Bamff SELKIRK one fhilling payable by the Toun of Gallofheills With releif from the reft of the unfrie Traders within the Shyre to be divided by the faid Toun with concurrence of the Lord Philliphaugh or Mr John Murray Advocate his brother PEIBLES one fhilling payable by Lintoun With releif from the unfrie Traders within the Shyre to be divided by the faid Toun with concurrence of the Sheriff Prin^{ll} Dep^{t} Laird of Blackbarrony or any one of them LANERK fix fhilling wherof by the Toun and Paroch of Hamiltoun two fhilling By the Gorballs two fhilling By Straven eight pennies By Dowglas eight pennies By Biggar eight pennies With releif from the reft of the unfrie Traders within the faid Shyre to be divided by the faids Tounes with concurrence of the Sheriff Prin^{ll} the Depute Lord Halcraig John Anderfone of Dowhill or any one of them DUMFREIS two fhilling wherof by Ecclesfechen two pennies Locharbe fix pennies Moffat two pennies With releif to them from the unfrie Traders within the Stewartrie of Annandaill to be divided by the Earle of Annandaill or any to be named by him By Thornehill one fhilling two pennies with releif to the faid Toun from the unfrie Traders of the reft of the Shyre to be divided by the Duke of Queinfberry or any whom his Grace fhall name WIGTOUN three pennies wherof two pennies paya^{ll} by Glenluce and one by Portpatrick With releif from the unfrie Traders within the Shyre to be divided by the Maflers and Magiftrats of the faid Toun with concurrence of the Sheriff Prin^{ll} or Depute KIRKCUDBRIGHT two fhilling wherof by Monegaff one fhilling By Oldclachan one fhilling With releif from the reft of the unfrie Traders within the Stewartrie to be divided by the Maflers or Magiftrats of the faids Tounes with concurrence of the Lord Bafill Hamiltoun Stewart Prin^{ll} or Depute and Proveift of Kirkcudbright or any one of them NEARN fix pennies to be divided by the Toun of Nearn with concurrence of the Sheriff Prin^{ll} Depute and Laird of Broadie or any one of $\mathfrak{y}^{m}$ DUNBRITON one fhilling fix pennies wherof by Kirkintilloch ten pennies By Cumernad fix pennies Kilpatrick two pennies With releif from the unfrie Traders of the Shyre to be divided by the Maflers or Magiftrats of the faids Tounes with concurrence of the Earle of Wigtoun and Sir James Smallot RENFREW fyfetein fhilling fix pennies wherof by the unfrie Traders of the Paroch of Inuerkip belonging to the Lairds of Blackhall and Caftlemilk two fhilling By the Toun and Paroch of Paifley four fhilling With releif to them of the Paroches of Eglifholme and Kilbarchan By the Bay of Newwork and Paroch of Howftoun fix pennies By the Paroch of Greinock nyne fhilling With releif to the faid Paroch of Greinock from the other unfrie Traders within the faid Shyre to be divided by the faid Paroch with concurrence of the Lord Montgomrie Lord Boyll Lord Juftice Clerk and Sir James Smollet or any one of them AIR thertein fhilling wherof by the Toun and Paroch of Kilmarnock three fhilling By the Toun and Paroch of Stewartoun fix pennies By the Toun and Paroch of Beith one fhill four pennies By the Toun and Paroch of Largs eight pennies By the Toun and Paroch of Kilwining one fhilling fix pennies, Toun and Paroch of Saltcoats one fhilling fix pennies Newmilnes two pennies Toun and Paroch of Kilmors fix pennies Toun and Paroch of Kilbryde two pennies With releif from the reft of the unfrie traders within Cuninghame to be divided by the fds Tounes with concurrence of the Earle of Loudoun Lord Montgomrie Lord Boyll Mr Francis Montgomerie Laird of Rowallane & Proveift of Air or any one of them payable to Irvine By Mayboll one fhilling two pennies Newtoun of Air eight pennies Machline two pennies Ochiltrie three pennies Cumnock two pennies Dalmelingtoun one pennie Ballintrae fix pennies Toreboltoun one pennie Symonton one pennie Galftoun two pennies Garvine one pennie Riccartoun one pennie With releif to them from the unfrie Traders of Kyll and Karick to be divided by the fds Tounes with concurrence forfaid STIRLING feaven fhilling one pennie wherof Falkirk Toun and Paroch three fhilling Kilfyth Toun and Paroch ten pennies St Ninians Toun and Paroch and Paroch of Gargunock one fhilling one pennie Airth & Elphingfton one fhilling fix pennies Bonockburne two pennies Bochlyve and Paroch of Kippene fix pennies With releif ut fupra to be divided by them with concurrence of the Earle of Mar or any to be named by him SUTHERLAND four pennies to be divided by Dornick with concurrence of the Sheriff Prin^{ll} or Depute and Sir Adam Gordoun of Dalfolly or any one of them CAITHNESS three fhilling payable by Thurfo With releif ut fupra to be divided by them with concurrence of the Sheriff Prin^{ll} Dep^{t} Magiftrats of Weik or any one of them CLACKMANNAN three fhilling paya^{ll} by Alloway With releif ut fupra to be divided by them with concurrence of the Earle of Mar or any to be named by him ORKNAY & ZETLAND fix fhilling to be divided by Kirkwall with concurrence of the Stewart or his Depute or Sr William Craigie of Gairfey or any one of them Elgine four fhilling wherof by Findhorne three fhilling By Garmock fix pennies By Foccoburs fix pennies With releif to the faids Tounes from the unfrie Traders of the faid Shyre to be divided by the Maflers and Magiftrats of the faids Tounes with concurrence of the Sheriff Prin^{ll} and Laird of Broadie or any one of them.

And wheras ther being ten moneths cefs of the faid ten pound due from Lambefs I^{m} vj^{c} nynty feaven years inclufive to Lambefs I^{m} vj^{c} nynty eight alfo inclufive extending to the foume of one thoufand pound Sterling the faid Commifsion of Parliament upon the day and date of thir prefents Haveing confidered how the fame wes to be payed and being therwith weill and ryply advyfed The faid Commifsion of Parliament have decerned and ordained and heirby decernes and ordaines the inhabitants of the faids Burghs of Regality Barrony and other unfrie Traders to make payment to the faid Andrew Myreton one of the Commifsers of the Army for the tyme of the one half of the faid ten moneths cefs extending to the fowme of fyve hundred pound Sterling and that conforme to the ftent roll ãwfine And decerned & ordained and heirby decernes and ordaines the Royall Burrowes to make payment of the like fowme of fyve hundred pound Sterling as the other half of the fd fume of one thoufand pound Sterling conforme to the taxt roll and that in manner following vi^{z}. three hundred pound Sterling therof to the faid Andrew Myretoun and the remaining two hundred pound to the faid Mr John Buchan which he hade advanced to the faid Andrew Myretoun And in lyke manner the faids Lords and others Commifsioners forfaid have found & declaired and heirby finds & declairs that all perfones are lya^{ll} in payment of a proportionall pairt of the faid fowme who lived in Burghs of Regality Barrony and other unfrie places fince the terme of Lambefs I^{m} vj^{c} nynty two albeit they live not there at prefent And alfe that all the exporters importers chapmen travellers and other retaillers wherever they live are lyable in payment of a proportionall pairt of the fd fum And that all handy crafts men liveing in Burghs of Regality and Barony are lya^{ll} to be ftented for the releif of the toun to which they are annexed and that the Maflers and Magiftrats of the Burghs of Barrony and Regality are to name ftent maflers upon oath to ftent the inhabitants of the rexive Burghs And in lyke manner the faids Lords and others of the faid Commifsion of Parlia^{t} have ordained and heirby ordaines releif from the unfrie traders within the rexive Paroches to be divided by the Maflers and Magiftrats of the unfrie Burghs with concurrence of the fcall noblemen gentlemen burgefses and others ãmen^{t} within the rexive Shyres above expreft And have declaired and heirby declairs that the faids perfones fo bound in releif are to be quartered upon in caice of deficiencie and not tymeouse payment And have appoynted and heirby appoynts the haill inhabitants within the feaverall Burghs of Bar-

rony and Regality and other unfrie traders on the ſouth ſyde of the water of Tay to pay in ther reẽive proportiones of the ſd ſowme of fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling and eight pennies and a third pairt of a penny ſterling due to the ſaid Mr John Buchan at Whytſunday Im vjc nynty ſeaven and of the ſaid ſowme of fyve hundred pounds ſterling due to the ſd Andrew Myretoun by the unfrie traders conforme to the ſaid taxt roll and that betwixt and the firſt day of June nixt to come And all theſe who live benorth the ſaid water of Tay to pay ther quotas and proportiones of the ſaids reẽive ſowmes betwixt and the firſt day of July nixt therefter With certification that pairties ſhall be ſent to quarter upon the deficients therty dayes efter elapſeing each of the ſaids dayes of payment conforme to the Act of Parliament declairing alwayes that recepts granted by the ſaid Mr John Buchan and Andrew Myretoun or either of them or any haveing commiſsion from them to any of the unfrie traders for any pairt of the ceſs abovementioned ſhall be allowed in the firſt end of ther proportione of the ſums above ſpecified.

THEN the Draught of the Act anent the better inbringing of the ſowmes ſtated as due to Mr John Buchan and Andrew Myretoun from Lambeſs Im vjc nynty two to Lambeſs Im vjc nynty eight years with ane intimation to the unfrie traders to accept the benefit of the communication of trade in tyme comeing betwixt and the ſecond Munday of June next read As lykewayes the Draught of ane Stent Roll caſting on the full quotas and proportiones of the ſaids ſowmes which the unfrie traders were to pay moved and offered to be read and therupon the Commiſsion ordered that the ſaid caſt of the quotas and proportiones of the ſaid ſtent roll ſhould be examined by Sr John Swintoun and Baillie Menzies or any one of them And if they find the ſame ryght proportioned that they marke the ſame accordingly by wreating ther name upon each ſheit of the ſd taxt roll And the ſame being ſo marked appoynts the ſame to be ingroſsed as a pairt of the ſaid Act.

THEREFTER the ſaid Act being againe read and ſeaverall amendments put therupon It wes put to the vote Approve of the Act or not and carried Approve And the Commiſsion did ordaine the ſame to be proclaimed at the mercate croce of Edinburgh and printed and that coppies therof be diſpatched and proclaimed at the remnant mercate croces as is therby appoynted Of which Act ſigned by the Lord Chancellour and a quorum of the ſaids Commiſsioners and marked on the back pr of by the ſaid Baillie Menzies conforme to the above Interloqr the tenor followes AT EDINBURGH the therty day of March Im vjc nynty nyne years The whilk day the Lords and others of the Commiſsion of Parliament appoynted and nominate by his Majeſtie for ſettleing the Communication of Trade have found and heirby finds that the Burghs of Regality Barrony and other unfrie traders are lyable to Mr John Buchan Advocate Agent to the Royall Burrowes in the ſowme of fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling eight pennies and the third pairt of ane pennie ſterling conforme to the accompt given in by the ſaid Mr John Buchan and that for the ten pound of the hundred pound of the taxt roll of the Royall Burrowes for the fyve years mentioned in the contract paſt betwixt the ſaids Royall Burrowes and the ſaid Mr John Buchan and ratified in Parliament the fourteinth day of June Im vjc nynty three vi3. from Lambeſs Im vjc nynty two to Whytſunday Im vjc nynty ſeaven incluſive And wheras ther being due ten moneths ceſs from Lambeſs Im vjc nynty ſeaven to Lambeſs Im vjc nynty eight years extending to the ſum of one thouſand pound ſterling The ſaids Commiſsioners decernes the inhabitants of the Burghs of Barrony Regality and other unfrie traders to make payment of the one half pr of extending to the ſowme of fyve hundred pound ſterling conforme to the tax roll aftermentioned to Andrew Myretoun one of the Commiſsers of the Army And ſicklyke the ſaids Lords and others Commiſsioners forſd have appoynted and ſettled and heirby appoynts and ſettles ane tax roll of the ſaid ten pound and the particular quotas and proportiones therof payable by the Burghs of Barrony and Regality and other unfrie traders within the reẽive Shyres of this Kingdome aftermentioned And appoynts the ſaid taxt roll to be a rule for payment of the forſaid ſowmes due to the ſaid Mr John Buchan for the forſaid fyve years ſpace of his contract and for payment of the forſd ſowme due to the ſaid Andrew Myretoun for the ſpace forſd And decernes the Burghs of Barrony and Regality and other unfrie traders within the Shyres and Stewartries aftermentioned to make payment to the ſaid Mr John Buchan of the ſaid ſowme of fyve thouſand one hundred and nynty ſeaven pound nyne ſhilling eight pennies and the third pairt of ane pennie ſterling And to the ſaid Andrew Myretoun the ſaid ſowme of fyve hundred pounds ſterling ilk ane of them for ther own pairts and proportiones therof conforme to the ſtent roll as is after divided vi3. The unfrie traders within the Shyre of EDINBURGH nynetein ſhilling ſix pennies Scots of the tax roll of ten pound payable by the Burghs of Barrony Regality and other unfrie Traders which of fyve thouſand one hundred and nynty ſeaven pound nyn ſhilling eight pennies and one third pairt of ane pennie ſterling payable to the ſaid Mr John being in Scots money ſixty two thouſand three hundred and ſixty nyne pound ſixtein ſhilling four pennies amounts to ſix thouſand and eighty one pound one ſhilling ſix pennies and to the ſowme of fyve hundred ſeaventy one pound fyve ſhilling payable to Andrew Myretoun as ther proportione of the ſaid fyve hundred pounds ſterling payable by the Burghs of Barrony Regality & others for ther proportione of the ceſs reſting from Lambeſs Im vjc nynty ſeaven to Lambeſs Im vjc nynty eight incluſive to be ſubdivided as followes vi3. By the unfrie traders within the Paroches of Newbotle Laſwed Cockpen Caringtoun Pennecook and Currie one ſhilling ſix pennies in the tax roll Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyfetein ſhilling ſix pennies And to the ſaid Andrew Myretoun fourty fyve pounds Scots money By the Paroches of St Cuthberts including Portſburgh Potterraw and Pleaſents three ſhilling ſix pennies Inde to the ſaid Mr John one thouſand & nynty one pound nyne ſhilling ſix pennies And to the ſaid Andrew Myretoun ane hundred and fyve pound Scotts And by that pairt of the Toun and Paroch of Leith which payes ceſs with the Shyre and not with the Toun of Edinburgh the Abbay the Paroches of Curſtorphine and Cramound three ſhilling ſix pennies Inde to the ſaid Mr John one thouſand and nynty one pound nyne ſhilling and ſix pennies And to the ſaid Andrew Myretoun one hundred and fyve pound The Toun and Regality of Dalkeith fyve ſhilling ſix pennies Inde to the ſaid Mr John one thouſand ſeaven hundred and fyfetein pound three ſhilling ſix pennies to the ſaid Andrew Myretoun one hundred and ſixty fyve pound The Toun and Regality of Muſſleburgh and Paroches of Dudingſtoun Newtoun Libertoun Cranſtoun and Crichtoun fyve ſhilling ſix pennies one thouſand ſeaven hundred and fyfetein pound three ſhilling ſix pennies to the ſaid Mr John And to the ſaid Andrew Myretoun one hundred and ſixty fyve pound with releif to the ſaids Tounes of Muſſleburgh & Dalkeith from the unfrie traders of the haill other Paroches of the ſaid Shyre not named above To be ſubdivided by the Maſters and Magiſtrats of the ſaids Burghs with concurrence of the Earle of Louthean Sir Archbald Muire Bailzie Menzies Mr William Calderwood Sheriff Depute or any one of them HADDINGTOUN ſixtein ſhilling ſix pennies of the tax roll which amounts to fyve thouſand one hundred fourty fyve pound ten ſhilling ſix pennies payable to the ſaid Mr John and to four hundred and nynty fyve pound payable to the ſaid Andrew Myretoun to be payed as followes vi3. By the Toun and Parochine of Preſtounpanns twelve ſhilling three pennies Inde to the ſaid Mr John three thouſand eight hundred and twenty pound three ſhilling and three pennies And to the ſaid Andrew three hundred and ſixty ſeaven pound ten ſhilling By the Toun and Paroch of Trannent Aberlady and Dirletoun four ſhilling three pennies Inde to the ſaid Mr John one thouſand three hundred and twenty fyve pound ſeaven ſhilling and three pennies And to the ſaid

Andrew ane hundred and twenty ſeaven pound ten ſhilling With releif to the ſaids Tounes and Parochines from the remnant unfrie traders w^in the Shyre To be ſubdivided by the Maſters or Magiſtrats of the ſaids Tounes of Preſtounpanns and Trannent with concurrence of the Lord Preſident of the Seſsione Lord Theaſurer Depute or any one of them BERWICK fyve ſhilling in the taxt roll which is one thouſand fyve hundred and fyſty nyne pound fyve ſhilling to the ſaid Mr John and ane hundred and fyſty to the ſaid Andrew Myretoun to be payed as followes viz. By Dunce and the Paroch therof one ſhilling eleven pennies Inde to the ſaid Mr John fyve hundred and nynty ſeaven pounds fourtein ſhilling three pennies and to the ſaid Andrew fyſty ſeaven pound ten ſhilling By Caldſtream one ſhilling Inde to the ſaid Mr John three hundred and eleven pound ſeaventein ſhilling and to the ſaid Andrew thertie pound By the Toun and Paroch of Greinlaw Foggo Gordoun and Polwart one pennie Inde to the ſaid Mr John twentie fyve pound nyntein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhill By the Toun of Haymouth two ſhilling Inde to the ſaid Mr John ſix hundred twenty three pound fourtein ſhilling and to the ſaid Andrew ſixty pound The Toun of Haymouth haveing releif from the remnant unfrie traders within the Shyre to be ſubdivided by the Magiſtrats of the ſaid Burgh with concurrence of the Lord High Chancellour Sr Andrew Home Sheriff Depute Sr John Swintoun of that Ilk and Sir John Home of Blackadder or any one of them ROXBURGH eleven ſhilling ſix pennies in the tax roll which is three thouſand fyve hundred and eighty ſix pound fyve ſhilling ſix pennies to the ſaid Mr John and to the ſaid Andrew three hundred and fourty fyve pound to be payed as followes viz. By the Toun of Kelſo eight ſhilling Inde to the ſaid Mr John two thouſand four hundred and nynty four pound ſixtein ſhilling and to the ſaid Andrew two hundred and fourty pound By Hawick one ſhilling ſix pennies Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyſetein ſhilling and ſix pennies and to the ſaid Andrew fourty fyve pound By Langholme ten pennies Inde to the ſaid Mr John two hundred fyſty nyne pound ſeaventein ſhilling and ſix pennies and to the ſaid Andrew twenty fyve pound By Melroſs ſix pennies Inde to the ſaid Mr John one hundred and fyſty fyve pounds eightein ſhilling and ſix pennies and to the ſaid Andrew fyſetein pound By Yettam eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound With releif to the ſaids Tounes from the reſt of the unfrie traders within the Shyre to be ſubdivided by the Maſters and Magiſtrats of the ſaids Tounes with concurrence of the Sheriff Prin^ll Sir John Swintoun of that Ilk and Sir John Home of Blackadder or any one of them LINLITHGOW one pound one ſhilling one pennie in the tax roll which is ſix thouſand fyve hundred and ſeaventy four pound ſixtein ſhilling and nyne pennies to the ſaid Mr John and to the ſaid Andrew ſix hundred and therty two pound ten ſhilling to be payed as followes viz. By the Toun of Burrowſtounneſs ſixtein ſhilling Inde to the ſaid Mr John four thouſand nyne hundred and eighty nyne pound twelve ſhilling and to the ſaid Andrew four hundred and eighty pound By Graingepanns fyve ſhilling Inde to the ſaid Mr John one thouſand fyve hundred and fifty nyne pound fyve ſhilling and to the ſaid Andrew ane hundred and fyſty pound By Bathgate one pennie Inde to the ſaid Mr John twenty fyve pound nyntein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling With releif to the ſaids Tounes of Burrowſtounneſs and Graingepanns from the reſt of the unfrie traders within the ſaid Shyre to be divided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence of the Earle of Annandaill Sheriff Prin^ll Sheriff Dep^t or any one of them PEARTH thertein ſhilling in the tax roll which is four thouſand and fyſty four pound one ſhilling to the ſaid Mr John and to the ſaid Andrew three hundred and nynty pound By Dunkeld two ſhilling nyne pennies Inde to the ſaid Mr John eight hundred and fyſty ſeaven pound eleven ſhilling nyne pennies and to the ſaid Andrew eighty two pound ten ſhilling By Doun one ſhilling eleiven pennies Inde to the ſaid Mr John fyve hundred and nynty ſeaven pound fourtein ſhilling three pennies and to the ſaid Andrew fyſty ſeaven pound ten ſhilling By Couper of Angus two ſhilling nyne pennies Inde to the ſaid Mr John eight hundred and fyſty ſeven pound eleven ſhilling and nyne pennies and to the ſd Andrew eighty two pound ten ſhilling By Creiff one ſhilling ſix pennies Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyſetein ſhilling ſix pennies and to the ſaid Andrew Myretoun fourty fyve pound By Ellioth two ſhilling and three pennies Inde to the ſaid Mr John ſeaven hundred and one pound thertein ſhilling three pennies and to the ſaid Andrew ſixty ſeaven pound ten ſhilling By Dunblaine one ſhilling ten pennies Inde to the ſaid Mr John fyve hundred and ſixty one pound fourtein ſhilling ſix pennies and to the ſaid Andrew Myretoun fyſty fyve pound With releif to the ſaids Touns from the reſt of the unfrie Traders within the Shyre to be divided by the Maſters or Magiſtrats therof with concurrence of the Sheriff Prin^ll Sheriff Depute Stewart of Stratharne and Deput Earle of Northeſk Lord Ruthven Lord Aberuchill Proveiſt of Pearth or any one of them KINKAIRDIN two ſhilling four pennies in the taxt roll which is ſeaven hundred and twenty ſeaven pound thertein ſhilling and three pennies to the ſaid Mr John and to the ſaid Andrew Myretoun ſeaventy pounds to be payed by the Toun of Stonhyve With releif from the reſt of the unfrie Traders of the ſaid Shyre to be divided by the Sheriff Prin^ll or any named by him with concurrence of the Sheriff Dep^t and Proveiſt of Aberdein or any one of them ABERDEIN thertein ſhilling in the taxt roll which is four thouſand and fyſty four pound one ſhilling to the ſaid Mr John and to the ſaid Andrew Myretoun three hundred and nynty pounds to be payed as followes viz. By the Toun of Old Aberdein two ſhilling Inde to the ſaid Mr John ſix hundred and twenty three pound fourtein ſhilling and to the ſaid Andrew ſixty pound With releif from the unfrie Traders within the Preſbitry of Aberdein lyand within the Shyre therof to be ſubdivided by the ſaid Toun with concurrence of the Sheriff Prin^ll Depute Proveiſt of Aberdein or any one of them By the Paroches of Ellon Udny and Foveran (excepting the Toun of Newburgh) fyve pennies Inde to the ſaid Mr John ane hundred twenty nyne pound eightein ſhilling nyne pennies and to the ſaid Andrew Myretoun twelve pound ten ſhilling to be divided by the Laird of Udny younger or Wattertoun with concurrence forſaid By the Paroches of Tarvis and Methlick two pennies Inde to the ſaid Mr John fyſty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound to be divided by the Earle of Aberdein or the Lord Haddo By the Paroches of Slanes and Crowden one pennie Inde to the ſaid Mr John twenty fyve pound nyntein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling to be divided by the Earle of Erroll or any named by him By the Paroches of Aldeer Newdeer Longfyde St Fergus Peterhead and Toun therof two ſhilling four pennies Inde to the ſaid Mr John ſeaven hundred and twenty ſeaven pound thertein ſhilling and three pennies and to the ſaid Andrew ſeaventy pound to be divided by the Earle Mariſhell or Magiſtrats of Peterhead with concurrence forſaid By the Paroches of Crimond Longmay Strichen Rathen Tyre Aberdour Pitſligo and Toun and Paroch of Frazersbur^t four ſhilling and eight pennies Inde to the ſaid Mr John one thouſand four hundred and fyſty fyve pound ſix ſhilling and to the ſaid Andrew one hundred and fourty pounds to be divided by the Lords Saltoun and Frazer or Magiſtrats of Frazerſbur^t with concurrence forſaid By the Toun of Turriff nyne pennies Inde to the ſaid Mr John two hundred and therty three pound ſeaventein ſhilling and nyne pennies and to the ſaid Andrew twenty two pound ten ſhilling With releif from the unfrie Traders within the Preſbitry therof to be divided by the Earle of Erroll or his Baillie with concurrence forſaid By the Toun of Straboggie one ſhilling Inde to the ſaid Mr John three hundred and eleiven

pound ſeaventein ſhilling and to the ſaid Andrew therty pound With releif from the unfrie Traders within the Preſbitry therof to be divided by the Duke of Gordoun or any nominate by his Grace with concurrence forſaid By unfrie Traders within the Preſbitry of Alfoord four pennies Inde to the ſaid Mr John ane hundred and three pound nynetein ſhilling and to the ſaid Andrew ten pound to be divided by the Lord Forbeſs or any named by him By Kincairneoneill three pennies Inde to the ſaid Mr John ſeaventy ſeaven pound nynetein ſhilt and three pennies and to the ſaid Andrew Myretoun ſeaven pound ten ſhilling By Charletoun fyve pennies Inde to the ſaid Mr John ane hundred and twenty nyne pound eightein ſhilling nyne pennies and to the ſaid Andrew twelve pound ten ſhilling By Tarland ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew Myretoun fyfetein pound With releif to the ſaids three Tounes from the unfrie Traders within the Preſbitry of Kinkairdine to be divided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence forſd By the Toun of Inch one pennie Inde to the ſaid Mr John twenty fyve pound nyntein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling By the Toun of Old Meldrum eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound With releif to the Toun of Old Meldrum from the unfrie Traders within the Preſbitry of Garioch to be ſubdivided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence forſaid INVERNESS three ſhilling ſix pennies in the tax roll which is one thouſand nynty one pound nyne ſhilling and ſix pennies to the ſaid Mr John and to the ſaid Andrew Myretoun ane hundred and fyve pound payaᵇˡ as followes viz. By Maryburgh two ſhilt ſix pennies Inde to the ſaid Mr John ſeaven hundred ſeaventy nyne pound twelve ſhilling ſix pennies and to the ſaid Andrew ſeaventie fyve pounds By Bewlie one ſhilling Inde to the ſaid Mr John three hundred and eleiven pound ſeaventein ſhilling and to the ſaid Andrew therty pounds With releif from the other unfrie Traders within the Shyre to be divided by the Sheriff Prinᵇˡ Depute Laird of Coalloadine and Proveiſt of Inverneſs or any one of them ROSS one ſhilling three pennies in the tax roll which is three hundred and eighty nyne pound ſixtein ſhilling three pennies to the ſaid Mr John and therty ſeaven pound ten ſhilling to the ſaid Andrew Myretoun to be divided by the Toun of Taine with concurrence of the Sheriff Prinᵇˡ or Depᵗ CROMERTY fyve pennies in the tax roll which is one hundred twenty nyne pound eightein ſhilling nyne pennies to the ſaid Mr John and twelve pound ten ſhillng to the ſaid Andrew to be divided by the Magiſtrats of Cromarty with concurrence of the Viſcount of Tarbat Sheriff of Cromarty and Sir Adam Gordoun of Dalfolly or any one of them ARGYLE three ſhilling in the tax roll which is nyne hundred and therty fyve pound eleiven ſhilling to the ſaid Mr John and nynty pound to the ſaid Andrew to be payed by Campletoun With releif from the unfrie traders within the ſaid Shyre to be divided by the Earle of Argyle the Sheriff Depute or one of the Magiſtrats of Inverary FYFE ſeaventein ſhilling fyve pennies in the tax roll which is fyve thouſand four hundred and therty one pound ſeaven ſhilling and nyne pennies to the ſaid Mr John and to the ſaid Andrew Myretoun fyve hundred and twenty two pound ten ſhilling to be divided as followes viz. By the Toun and Paroch of S Minnans ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies And to the ſaid Andrew fyfetein pound By the Ellie one ſhilling ſix pennies Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyfetein ſhilling ſix pennies and to the ſaid Andrew forty fyve pound By the Paroches of Kilconquaire and Newburne eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound By the Toun and Paroch of Largo eight pennies Inde to the ſaid Mr John two hundred and ſeaven pounds eightein ſhilling and to the ſaid Andrew twenty pound By the Toun of Levine and Paroch of Scoone one ſhilling Inde to the ſaid Mr John three hundred and eleiven pound ſeaventein ſhilling and to the ſaid Andrew therty pound By the Weſter-Weimes and the reſt of the Paroch of Weimes two ſhilling nyne pennies Inde to the ſaid Mr John eight hundred and fyfty ſeaven pound eleiven ſhilling nyne pennies and to the ſaid Andrew eighty two pound ten ſhilling By the Toun of Dunakeir Paroch of Dyfert with Paithhead ten pennies Inde to the ſaid Mr John two hundred and fyfty nyne pound ſeaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound By Linktoun Paroch of Abbotſhall Weſtbrigg of Links and Paroch of Kinghorne two ſhilling eight pennies Inde to the ſaid Mr John fyve hundred therty one pound twelve ſhilling and three pennies and to the ſaid Andrew eighty pounds By the Toun and Paroch of Aberdour and Parochine of Dalgety four pennies Inde to the ſaid Mr John one hundred and three pound nynetein ſhilling and to the ſaid Andrew ten pounds By the Toun of Lymekilnes Corſeſoord in Dumfermling Paroch and Paroch of Saline ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyftein pound By the Toun of Northferrie three pennies Inde to the ſaid Mr John ſeaventy ſeaven pounds nynetein ſhilling three pennies and to the ſaid Andrew ſeaven pound ten ſhilling By the Toun and Paroch of Torriburne two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound By the Toun and Paroch of Auchtermuchtie Paroches of Cullefsie Obtie and Moneymaill ten pennies Inde to the ſaid Mr John two hundred and fyfty nyne pound ſeaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound By the Paroches of Stramiglo and Arnegaſk with the Toun of Stramiglo ſeaven pennies Inde to the ſaid Mr John ane hundred and eighty one pound eightein ſhilling three pennies and to the ſaid Andrew ſeaventein pound ten ſhilling By the Toun and Paroche of Leſslie one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling By the Toun and Paroch of Newburgh Paroches of Ballmerino Flifk and Dunbog ſeaven pennies Inde to the ſaid Mr John ane hundred and eighty one pound eightein ſhilling three pennies and to the ſaid Andrew ſeaventein pound ten ſhilling By the Toun and Paroch of Markinſh one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling By the Toun and Paroch of Kennochie two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling and ſix pennies and to the ſaid Andrew fyve pound By the Toun of Ferrieportoncraig the Waterſyde of Dundie and the Paroch wherin the ſaid Waterſyde lyes one ſhilling Inde to the ſaid Mr John three hundred and eleiven pounds ſeaventein ſhilling and to the ſaid Andrew therty pound By the Toun and Paroch of Leuchars Kingſbarnes and Carnebee three pennies Inde to the ſaid Mr John ſeaventy ſeaven pound nynetein ſhilling three pennies and to the ſaid Andrew ſeaven pound ten ſhilling By the Toun of Lithray and Paroch of Creich one pennie Inde to the ſaid Mr John twenty fyve pound nyntein ſhilling and nyne pennies and to the ſaid Andrew two pound ten ſhilling By the Toun and Paroches of Falkland Bingrie Baith Auchterderrin Kinglaſse Auchtertooll Killmainie and Ketle one ſhilling eleiven pennies Inde to the ſaid Mr John fyve hundred and nynty ſeaven pound fourtein ſhilling three pennies and to the ſaid Andrew fyfty ſeaven pound ten ſhilling With releif to the ſaid Toun of Falkland and forſds Paroches therto adjoyned from the unfrie traders within the Shyre forſaid which are not above ſet down The forſaids fowmes to be divided by the Maſters and Magiſtrats of the forſaid Tounes upon the unfrie traders within ther reſpective Paroches above mentioned as alſo within the other Paroches which are not above mentioned with concurrence of the Earle of Melvill the Earle of Levine the Sheriff Depute or any one of them KINROSS four pennies in the tax roll which is one hundred and three pound nynetein ſhilling

to the ſaid Mr John and ten pound to the ſaid Andrew to be payed by the Toun of Kinroſs With releif from the unfrie traders within the Shyre to be divided by the ſaid Toun with concurrence of Sir William Bruce his ſone the Sheriff Depute or any one of them FORFAR four ſhilling in the tax roll which is one thouſand two hundred fourty ſeaven pounds eight ſhilling to the ſaid Mr John and one hundred and twenty pound to the ſaid Andrew Myretoun to be payed as followes viz. By the Hill of Dundie ten pennies Inde to the ſaid Mr John two hundred and fyfty nyne pound ſeaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound By Glames ten pennies Inde to the ſaid Mr John two hundred fyfty nyne pounds seaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound By Kerremuir two ſhilling four pennies Inde to the ſaid Mr John ſeaven hundred and twenty ſeaven pound thertein ſhilling and to the ſaid Andrew Myretoun ſeaventy pound With releif from the unfrie Traders of the Shyre to be divided by the ſaids Tounes with concurrence of the Sheriff Prinll Dept and Proveiſt of Dundie or any one of them BAMFF two ſhilling in the tax roll which is ſix hundred and twentie three pound fourtein ſhilling to the ſaid Mr John and sixty pounds to the ſaid Andrew to be payed as followes viz. By Portſoye one ſhilling Inde to the ſaid Mr John three hundred and eleiven pounds ſeaventein ſhillings and to the ſaid Andrew therty pounds With releif from the reſt of the unfrie Traders within the Shyre to be divided by the ſaids Tounes with concurrence of the Sheriff Depute or Proveiſt of Bamff By Keith one ſhilling Inde to the ſaid Mr John three hundred and eleiven pounds ſeaventein ſhill and to the ſaid Andrew therty pounds with releif & concurrence forſaid SELKIRK one ſhilling in the tax roll which is three hundred and eleven pound ſeaventein ſhilling to the ſaid Mr John and therty pound to the ſaid Andrew to be payed by the Toun of Gallo-ſheills With releif from the reſt of the unfrie Traders within the ſaid Shyre to be divided by the ſaid Toun with concurrence of the Lord Philliphaugh or Mr John Murray his brother PEEBLES one ſhilling in the tax roll which is three hundred and eleiven pound ſeaventein ſhilling to the ſaid Mr John and therty pound to the ſaid Andrew to be payed by the Toun of Lintoun With releif to them from the unfrie Traders within the Shyre to be divided by the ſaid Toun with concurrence of the Sheriff Prinll Depute Laird of Blackbarrony or any one of them LANERICK ſix ſhilling in the tax roll which is one thouſand eight hundred ſeaventie one pound two ſhill to the ſaid Mr John and one hundred and eighty pound to the ſaid Andrew to be payed as followes viz. By the Toun and Paroch of Hamiltoun two ſhilling Inde to the ſaid Mr John ſix hundred and twenty three pound fourtein ſhilling and to the ſaid Andrew ſixty pound By the Gorballs two ſhilling Inde to the ſaid Mr John ſix hundred and twenty three pound fourtein ſhilling and to the ſaid Andrew ſixty pound By Straven eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound By Douglaſs eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound By Biggar eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound With releif from the reſt of the unfrie Traders within the ſaid Shyre to be divided by the ſaid Tounes with concurrence of the Sheriff Prinll Depute Lord Halcraig John Anderſone of Dowhill or any one of them DUMFREIS two ſhilling in the tax roll which is ſix hundred and twenty three pound fourtein ſhilling to the ſaid Mr John and ſixty pound to the ſd Andrew to be divided as followes viz. By Eccleſfechan two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound By Lockarby ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound By Moffat two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound With releif to them from the unfrie Traders within the Stewartrie of Annandaill to be divided by the Earle of Annandaill or any to be named by him By Thornehill one ſhilling two pennies Inde to the ſaid Mr John three hundred and ſixty three pound ſixtein ſhill and ſix pennies and to the ſaid Andrew therty fyve pounds Scotts With releif to the ſaid Toun from the unfrie Traders of the reſt of the Shyre to be divided by the Duke of Queenſberry or any whom his Grace ſhall name WIGTOUN three pennies in the tax roll which is ſeaventy ſeaven pound nynetein ſhill and three pennies to the ſaid Mr John and ſeaven pound ten to the ſaid Andrew to be payed as followes viz. By Glenluce two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew Myretoun fyve pound By Port-patrick one pennie Inde to the ſaid Mr John twenty fyve pounds nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhill With releif from the unfrie Traders within the Shyre to be divided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence of the Sheriff Prinll or Depl KIRKCUDBRIGHT two ſhilling of the tax roll which is ſix hundred and twenty three pound fourtein ſhilling to the ſaid Mr John and ſixty pounds to the ſaid Andrew to be payed as followes viz. By Monygaff one ſhilling Inde to the ſaid Mr John three hundred and eleiven pound ſeaventein ſhilling and to the ſaid Andrew therty pound By Old Clachan one ſhilling Inde to the ſaid Mr John three hundred & eleven pounds ſeaventein ſhilling and to the ſaid Andrew therty pound With releif from the reſt of the unfrie Traders within the Stewartrie to be divided by the Maſters and Magiſtrats of the ſaids Tounes with concurrence of Lord Baſill Hamiltoun Stewart Prinll Depl Proveiſt of Kirkcudbright or any one of them NAIRNE ſix pennies in the tax roll which is ane hundred and fyfty fyve pound eightein ſhilling ſix pennies to the ſaid Mr John and fyfetein pounds to the ſaid Andrew to be divided amongſt the unfrie Traders of the ſaid Shyre by the Toun of Nairn with concurrence of the Sheriff Prinll Depl and Laird of Broadie or any one of them DUNBRITON one ſhilling ſix pennies in the tax roll which is four hundred and ſixty ſeaven pound fyfetein ſhilling ſix pennies to the ſaid Mr John and fourty fyve pound to the ſaid Andrew to be payed as followes viz. By Kirkintilloch ten pennies Inde to the ſaid Mr John two hundred and fyfty nyne pound ſeaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound By Cumernad ſix pennies Inde to the ſaid Mr John ane hundred & fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound By Killpatrick two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhillings ſix pennies and to the ſaid Andrew fyve pound with releif from the unfrie Traders of the Shyre to be divided by the Maſters or Magiſtrats of the ſaids Tounes with concurrence of the Earle of Wigtoun or Sir James Smallot RENFREW fyfetein ſhilling ſix pennies in the tax roll which is four thouſand eight hundred and therty three pound thertein ſhilling and ſix pennies to the ſaid Mr John and four hundred & ſixty fyve pound to the ſaid Andrew Myretoun to be payed as followes viz. By the unfrie Traders of the Paroch of Inuerkip belonging to the Lairds of Blackhall and Caſtlemilk two ſhilling Inde to the ſaid Mr John ſix hundred and twenty three pound fourtein ſhilling and to the ſaid Andrew ſixty pound By the Toun and Paroch of Paiſley four ſhilling Inde to the ſaid Mr John one thouſand two hundred and fourty ſeaven pound eight ſhilling and to the ſaid Andrew one hundred and twenty pound With releif to them from the Paroches of Egliſholme and Kilbarchan By the Bay of Newwork and Paroch of How-ſtoun ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies And to the ſaid Andrew fyfetein pound By the Paroch of Greinock nyne ſhilling Inde to the ſaid Mr John two thouſand and eight hundred and ſix pound thertein ſhilling and to the ſaid Andrew two hundred and ſeaventy pound With releif to the ſaid

Paroch of Greinock from the op^r unfrie traders within the Shyre to be divided by the ſaid Paroch with concurrence of the Lord Montgomrie Lord Boyll Lord Juſtice Clerk and Sir James Smallot or any one of them AIR thertein ſhilling in the taxt roll which is four thouſand and fyfty four pound one ſhilling to the ſaid Mr John and three hundred and nynty pound to the ſaid Andrew Myretoun to be divided as followes vizt By the Toun and Paroch of Kilmarnock three ſhilling Inde to the ſaid Mr John nyne hundred and therty fyve pound eleiven ſhilling and to the ſaid Andrew Myretoun nynety pound By the Toun and Paroch of Stewartoun ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound By the Toun and Paroch of Beeth ane ſhilling four pennies Inde to the ſaid Mr John four hundred and fyfetein pound ten ſhilling and to the ſaid Andrew fourty pound By the Toun and Paroch of Largs eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound By the Toun and Parochine of Killwinning one ſhill ſix pennies Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyfetein ſhilling ſix pennies and to the ſaid Andrew fourty fyve pound The Toun and Parochine of Saltcoats one ſhilling ſix pennies Inde to the ſaid Mr John four hundred and ſixty ſeaven pound fyfetein ſhilling ſix pennies and to the ſaid Andrew fourty fyve pound By Newmilnes two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound By the Toun and Paroch of Kilmaurs ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound By the Toun and Paroch of Kilbryde two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound With releif from the reſt of the unfrie traders within Cuninghame to be divided by the ſaids Tounes with concurrence of the Earle of Loudoun Lord Montgomerie Lord Boyll Mr Francis Montgomrie Laird of Rowallane and Proveiſt of Air or any one of them By Mayboll one ſhilling two pennies Inde to the ſaid Mr John three hundred and ſixty three pound ſixtein ſhilling ſix pennies and to the ſaid Andrew therty fyve pounds Scots Newtoun of Air eight pennies Inde to the ſaid Mr John two hundred and ſeaven pound eightein ſhilling and to the ſaid Andrew twenty pound Mauchline two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound Ochiltrie three pennies Inde to the ſaid Mr John ſeaventy ſeaven pounds nynetein ſhilling three pennies and to the ſd Andrew ſeaven pound ten ſhilling By Cumnock two pennies Inde to the ſaid Mr John fyfty one pound nyntein ſhilling ſix pennies and to the ſaid Andrew fyve pound Dalmelingtoun one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling By Ballintrea ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pound eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound Toreboltoun one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling Symontoun one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling Galſtoun two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling ſix pennies and to the ſaid Andrew fyve pound Garvin one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling Riccartoun one pennie Inde to the ſaid Mr John twenty fyve pound nynetein ſhilling nyne pennies and to the ſaid Andrew two pound ten ſhilling With releif to them from the unfrie traders within Kyle and Karick to be divided by the ſaids Tounes with concurrence forſaid STIRLING ſeaven ſhilling one pennie in the taxt roll which is two thouſand two hundred and eight pounds eightein ſhilling and nyne pennies to the ſaid Mr John and two hundred and twelve pound ten ſhilling to the ſaid Andrew to be payed as followes vizt By the Toun and Paroch of [Falkirk] three ſhilling Inde to the ſaid Mr John nyne hundred and therty fyve pound eleiven ſhilling and to the ſaid Andrew nynty pound By the Toun and Paroch of Kilſyth ten pennies Inde to the ſaid Mr John two hundred and fyfty nyne pound ſeaventein ſhilling ſix pennies and to the ſaid Andrew twenty fyve pound The Toun and Paroch of St Ninians and Paroch of Gargunock one ſhilling one pennie Inde to the ſaid Mr John three hundred and therty ſeaven pound ſeaventein ſhilling nyne pennies and to the ſaid Andrew therty two pound ten ſhilling By Airth and Elphingſtoun one ſhilling ſix pennies Inde to the ſaid Mr John four hundred & ſixty ſeaven pound fyfetein ſhilling ſix pennies and to the ſaid Andrew fourty fyve pound Bannockburne two pennies Inde to the ſaid Mr John fyfty one pound nynetein ſhilling and ſix pennies and to the ſaid Andrew fyve pound Bochlive and Paroch of Kippone ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pounds eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound With releif ut ſupra to be divided by them with concurrence of the Earle of Mar or any to be named by him SUTHERLAND four pennies in the taxt roll which is ane hundred and three pound nynetein ſhilling to the ſaid Mr John and ten pound to the ſaid Andrew to be divided amongſt the unfrie traders within the ſaid Shyre with concurrence of the Sheriff Prin^ll Depute Sir Adam Gordoun of Dallfolly or any one of them CAITHNESS three ſhilling in the taxt roll which is nyne hundred and therty fyve pound eleiven ſhilling to the ſaid Mr John and nynty pound to the ſaid Andrew to be payed by the Toun of Thurſo With releif ut ſupra to be divided by them with concurrence of the Sheriff Prin^ll Dep^t or Magiſtrats of Weik or any one of them CLACKMANNAN three ſhilling in the taxt roll which is nyne hundred and therty fyve pound eleiven ſhilling to the ſaid Mr John and to the ſaid Andrew nynty pound to be paid by Alloway With releif ut ſupra to be divided by them with concurrence of the Earle of Mar or any to be nominat by him ORKNAY & ZETLAND ſix ſhilling in the taxt roll which is one thouſand eight hundred ſeaventy one pound two ſhilling to the ſaid Mr John and ane hundred and eighty pound to the ſaid Andrew to be divided by Kirkwall with concurrence of the Stewart his Dep^t Sr William Craigie of Gairſey or any one of them ELGIN four ſhilling in the taxt roll which is one thouſand two hundred and fourty ſeaven pound eight ſhilling to the ſaid Mr John And ane hundred and twenty pound to the ſaid Andrew to be payed as followes vizt By Findhorne three ſhilling Inde to the ſaid Mr John nyne hundred therty fyve pound eleiven ſhilling and nynty pounds to the ſaid Andrew By Garmock ſix pennies Inde to the ſaid Mr John ane hundred and fyfty fyve pounds eightein ſhilling ſix pennies and to the ſaid Andrew fyfetein pound By Foccobirs ſix pennies Inde to ye ſd Mr John ane hundreth and fiftie fyve pounds eightein ſhill six pennies and to ye ſd Andrew fyfetein pound With releif to the ſaids Tounes from the unfrie traders of the ſd Shyre to be divided by the Maſters and Magiſtrats of the ſaids Tounes with concurrence of the Sheriff Prin^ll and Laird of Broadie or any one of them And in lykemanner the ſaids Lords and others Commiſsioners forſaid have found and declaired and heirby finds & declairs that all perſones are lyable in payment of a proportionall pairt of the ſaid ſowme who lived in Burghs of Barrony Regality or other unfrie places ſince the terme of Lambeſs I^m vj^c nynty two albeit they live not there at preſent And alſe that all the exporters importers chapmen travillers and other retaillers wherever they live are lyable in pay^t of a proportionall part of the ſaid ſowme and that all handy craftsmen liveing in Burghs of Barrony and Regality are lyable to be ſtented for releif of the Toun to which they are annexed And that the Maſters and Magiſtrats of the Burghs of Barrony and Regality are to name ſtent maſters upon oath to ſtent the inhabitants of the reſive Burghs And in lykmanner ordaines the releif from the unfrie traders within the reſive Paroches to be divided by the Maſters

and Magiſtrats of the unfrie Burghs with concurrence of the ſeaverall noblemen gentlemen burgeſſes and others above mentioned within the reſive Shyres above expreſt And declairs that the ſaids perſones ſo bound in releif are to be quartered upon in caice of deficiencie and not tymeouse payment And have appoynted and heirby appoynts the haill inhabitants within the ſeaverall Burghs of Barrony and Regality and other unfrie traders on the ſouth ſyde of the water of Taye to pay in ther reſive proportions of the ſaid ſowme of fyve thouſand ane hundred and nynty ſeaven pound nyne ſhillings eight pennies and third of ane pennie Sterling dew to the ſaid Mr John Buchan at Whytſunday Im vjc nynty ſeaven and of the ſaid ſowme of fyve hundred pound Sterling due to the ſaid Andrew Myretoun by the unfrie traders dureing the ſpace forſaid conforme to the taxt roll and the prented advertiſements to be ſent heirwith and that to Robert Rutherfoord depute receaver of his Majeſties ceſs as the perſone nominat by the ſaid Mr John Buchan and Andrew Myretoun or his order within the reſive Shyres at the head Burgh therof upon his or ther recepts of the ſamen which are heirby declaired to be a ſufficient exoneratione to the ſaids unfrie traders and that betwixt and the firſt day of June next to come And all thoſe who live benorth the ſaid water of Tay to pay ther quotas and proportiones of the ſaids reſive ſumes betwixt and the firſt day of Jully next thereſter With certification that pairties ſhall be ſent to quarter upon the deficients therty dayes after elapſeing each of the ſds dayes of payt conforme to the forſd Act of Parliament Declairing allwayes that recepts granted by the ſaid Mr John Buchan and Andrew Myretoun or aither of them or any haveing commiſsion from them to any of the unfrie traders for any pairt of the ceſs ãmen: ſhall be allowed in the firſt end of ther proportione of the ſowmes ãſpẽit And wheras by the nyneteinth Act of the laſt Seſsion of this current Parliat for ſettleing the communication of trade in the termes therin ſpẽit The ſaids Commiſsioners are fully authorized to conſider what pairt of the quota of the tax roll of ane hundred pound of the Royall Burrowes ſhould be for thereſter laid upon the unfrie traders of this Kingdome and to ſubdivide and proportione the ſamen upon the ſaids Burghs of Barrony and Regality and others who ſhall accept of the benefite of the ſaid communicatn as they ſhall find juſt Therfor all the Burghs of Barrony Regality and other unfrie traders who intend to accept of the benefit of the said communication are heirby advertiſed to attend the Lords and others of the Commiſsion of trade at Edinburgh the ſecond Munday of June next to come with continuatione of dayes to heir & ſie the reſive proportiones of the burdein upon trade determined by the authority and ſentance of the ſaids Commiſsioners With certificatione that if any ſhall preſume to trade contrair to the tenor of the forſd Act of Parliament without takeing the benefit of the communication and a proportionall pairt of the burdein ther moveaths ſhall be decerned to appertain and belong to the Royall Burrowes and Burghs of Barrony and Regality and others who accept of the communication and bear the burdein upon trade conforme to the forſaid Acts of Parliament againſt unfrie traders And that action ſhall be competent to the Agent of the Royall Burrowes againſt the tranſgreſſors therfor And appoynts thir pũts to be printed and publiſhed at the mercate croce of Edinburgh and at the head Burghs of the ſeverall other Shyres and Stewartries within this Kingdome and the ſamen with the printed advertiſements to be tranſmitted to the Sheriffs of the ſeaverall Shyres and the Stewarts of the ſeaverall Stewartries or ther reſive Deputs or Clerks And ordaines them to cauſe publiſh the ſamen at the ſeaverall Paroch Kirk Doors within ther reſive juriſdictiones to the effect above mentioned And ordaines coppies to be ſent to the ſeverall Burghs of Barrony Regality &c. MARCHMONT Cancellar.

Mar.

G. Home.	Jn. Steuart.
Ard: Mure.	J. Hamiltone.
Wm Meinzeis.	Ad. Gordon.

IN the Commiſsion of Parliament for Communication of Trade 26 June 1699.

SEDERUNT.

The Lord Chancellour.	The Proveiſt of Edinburgh
The Earle of Marr.	Sr Archbald Muir.
The Earle of Loudoun.	Sr James Smallot.
Mr Francis Montgomry.	John Anderſone of Dowhill.

THE Commiſsion conſidering that the day appoynted by the laſt Proclamation for the Burghs of Barony Regality and other unfrie Traders ther makeing offer to accept the communication of trade is now come and elapſed and that ther may be applicationes made to the Commiſsion for that effect Therfor the Commiſsion doe appoynt and nominat the Duke of Queinſberry, the Earle of Mar, the Earle of Loudoun, the Earle of Annandaill, Lord Boyll, Lord Advocate, Mr Francis Montgomry, Sr John Swintoun, Sr Adam Gordon, the Proveiſt of Edinburgh, Sr Archbald Muir, Sr James Smallot, Baillie Menzies and Dowhill or any other member of the Commiſsion who pleaſes to be preſent as a Committy to receave in what applicationes and offers ſhall be made to them by the Burghs of Regality Barrony and other unfrie Traders for the benefite of trade and to hear them on ther propoſalls and make report therof to the Commiſsion and appoynts three of the fornamed perſones to be a quorum wherof one of each ſtate and ther firſt meitting to be to morrow at three afternoon in the Touns Chamber in the Parliament Cloſs and from thence to adjurne themſelves as they ſhall ſie cauſe.

THE Cõmiſsion adjurnes till Munday at three a clock in the afternoon.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion for Trade July 4, 1699.

SEDERUNT.

The Lord Chancellour.	Mr Francis Montgomry.
The Earle of Annandaill.	Sr Adam Gordon,
The Earle of Loathean.	Sr Archbald Muir.
Lord Advocat.	John Anderſone of Dowhill.
Lord Whythill.	

THE Committy formerly appoynted made report to the Commiſsion that few or none of the unfrie Traders had made applicationes to them for the benefite of Trade which they thought might be occaſioned by the laſt Proclamation its not being diſpatched and dewly intimat at the head Burghs of the Shyres And therfor they propoſed that ther might be ane new Proclamation emitted appoynting all the unfrie Traders to come in and make offer againſt a preciſe day under ane certification Wherupon the Commiſsion did ordaine ane Act to be publiſhed againe advertiſeing all the unfrie Traders to come in againſt the third of Auguſt nixt and make offer for the benefite of trade betwixt and the ſaid day with Certification that the Commiſsion would adjurne and receave noe furder application till November and that in the mean tyme it ſhould be lawfull to the Royall Burrowes or ther Agent to purſue thoſe who doe not apply as unfrie Traders which Act wes accordingly drawn and ordered to be proclaimed and diſpatched through the ſeaverall Shyres of the Kingdome by the Soliciter Of which Act the tenor followes AT EDINBURGH the fourth day of July one thouſand ſix hundred and nynty nyne years the Commiſsion of Parliament appoynted for ſettleing the Communication of Trade conſidering that by ther former Act of ye date the therty day of March laſt bypaſt did order advertiſement to be made to all the Burghs of Regality Barrony and other unfrie Traders who intend to accept of the bene-

fit of Communication of Trade to have attended the Lords and others of the ſaid Commiſsion of Parliament the ſecond Munday of June laſt to have heard and ſein the reẍive proportiones of ꝑe burdein upon trade determined by the authority and ſentance of the ſaids Commiſsioners with Certification in manner ſpecified in the ſaid Act as the ſamen fully bears And ſeing that notwithſtanding of the ſaid former Act few of the Burghs of Regality Barrony and other unfrie Traders have as yet applyed to accept the benefite of Communication of Trade And it being neceſsar that this matter be brought to ane determination and full ſettlement Therfor the ſaids Commiſsioners have thought fitt to give this ſecond advertiſement and doe heirby againe advertiſe all the Burghs of Barrony Regality and other unfrie Traders within the Kingdome to attend the Lords and others of the Commiſsion of Trade at Edinburgh betwixt and the third day of Auguſt nixt to come to heir and ſie the reẍive proportiones of the burdein upon Trade determined by authority of the ſaids Commiſsioners Certifieing the ſaids Burghs of Barrony Regality and others that the ſaids Commiſsioners will receave noe application after the ſaid day untill ther firſt meitting in November or December nixt to which they ſhall adjurne and that in the mean tyme the Royall Burrowes or ther Agent may proceed againſt them as unfrie Traders in caice of treſpaſs with all rigour And ordaines theſe preſents to be prented and publiſhed at the mercat croce of Edinburgh and haill remnant mercat croces of the head Burghs of the ſeaverall Shyres and Stewartries within the Kingdome And that coppies be diſpatched in the usuall manner to the Sheriffs Stewarts and Magiſtrats of Burghs and that the ſamen be read at the doors of the ſeaverall Paroch Kirks in the forenoon after the diſsolveing of the Congregation that none may pretend ignorance.

THE Commiſsion adjurnes till Fryday nixt at three a clock in the afternoon.

MARCHMONT Cancellar. I. P. C.

IN the foresaid Commiſsion for Communication of Trade 6th July 1699.

SEDERUNT.

The Lord Chancellour.	Sr Archbald Muir.
The Lord Advocat.	Proveiſt Muir.
The Lord Halcraig.	Baillie Menzies.
The Proveiſt of Edinburgh.	The Proveiſt of Aberdein.
Sr James Smallot.	

THE Proveiſt of Aberdein haveing ſworne the oath of alleadgeance to his Majeſty and ſigned the ſame with the aſsureance and given his oath de fideli wes admitted ane member of the Commiſsion.

A PETITION from the Royall Burrowes craveing a recommendation to the Theaſury that ther Lordſhips would forbear quartering upon them for the ten pound of the taxt roll formerly payable by the unfrie Traders read and the conſideration therof delayed.

ANE offer made by the Lord Chancellour to accept the benefite of trade for his two Touns of Greinlaw and Pollwarth read and granted They payeing ane Scots penny of the taxt roll and that delyverance ordained to be ſigned by the Lord Hallcraig.

RECOMMENDED to the Committy formerly named to meit and receave in the offers of the unfrie Traders.

THE Commiſsion adjurnes till the Twenty day of July at three a clock in the afternoon.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion for Trade Aug. 3, 1699.

SEDERUNT.

The Lord Chancellour.	Sr James Smallot.
Lord Halcraig.	The Proveiſt of Edinburgh.
Lord Whythill.	Sr Archbald Muir.
Sr Adam Gordon.	Baillie William Menzies.

SIR John Home of Blackadder haveing ſworne the oath of alleadgeance and ſigned the ſame with the aſsureance and given his oath de fideli wes admitted ane member of the Commiſsion.

THE Petitiones under writine were preſented to the Commiſsion bearing ther offers for the benefite of trade viz. A Petitione from the Duke of Hamilton and his Baillie for Burrowſtounneſs, one for the Toun of Fraſerburgh one for the village of the Gorballs, one for the Toun of Dunſe, one for the Toun of Old Aberdein, one for the Paroch of Falkirk, one for the Toun of Hawick, and one other for the Toun of Levine All which petitiones were remitted to the Committy formerly named to be conſidered by them And the Commiſsion appoynts them to meit on Munday nixt at ten a clock in the forenoon in order to conſider the forſaids petitiones and what farder ſhall be offered to them by the unfrie traders and from thence to adjurne themſelves and declairs three of the ſaid Committy to be a quorum wherof a nobleman or a barron with a burges to be preſent at each Sederunt and authorizes the ſaid Committy to call before them Mr John Buchan or any elſe they ſhall think fitt for information.

THEREFTER a petitione of the inhabitants of the Toun of Old Aberdein read craveing the Commiſsiones determination how far handie crafts men and others not liveing within ther Burgh but in the countrey adjacent to them are lyable for ther releife and ſeaverall other poynts mentioned in the ſaid petition Wherupon the Commiſsion did delay to give particular anſwers to the ſaids poynts but did leave the petitioners to make ther application theranent to the ſtent maſters who are appoynted by the former Act to proportion ther releife.

THE Commiſsion adjurnes till the therteinth day of September nixt.

MARCHMONT Cancellar. I. P. C.

IN the Commiſsion of Parliament for Communication of Trade, Feb. 19, 1700.

SEDERUNT.

The Lord Chancellour.	Sr James Smallot.
Earle of Mar.	Proveiſt of Edinburgh.
Lord Halcraig.	Baillie Menzies.
Lord Whythill.	Anderſone of Dowhill.
Sr Archbald Muir.	

THE Commiſsion recommends to the Committy formerly named to conſider the offers made by the unfrie traders and bring in ane report therof to the Commiſsion againſt the nixt Sederunt and adds the Lords Halcraig and Whythill to the ſaid Committy and recommends to them to meit to morrow at three a clock in the afternoon and from thence to adjurne themſelves.

THE Commiſsion adjurnes till Munday nixt the Twenty sixth instant at ten a clock in the forenoon.

MARCHMONT Cancellar. I. P. C.

IN the aforſaid Commiſsion of Trade, Feb. 26, 1700.

SEDERUNT.

The Lord Chancellour.	Sr Adam Gordon.
Earle of Mar.	Proveiſt of Edinburgh.
Lord Boyll.	Anderſone of Dowhill.
Lord Halcraig.	Baillie Menzies.

ANE Petition read for the Toun of Tranent and others in Haddingtoun Shyre craveing that ſome more of the Commiſsion might be added to the Lord Preſident of the Seſsion and Theaſurer Depe formerly appoynted for proportioning the releiſe dew to the petitioners in regaird the Preſident of Seſsion and Theaſurer Deputs affairs could not allow them tyme to doe the ſame read And therupon the Commiſsion did add George Home preſent Proveiſt of Edinburgh and William Menzies lait Baillie therof to thoſe formerly named or to any two of them to proportion and divide the ſaid releiſe amongſt the unfrie traders within the ſaid Shyre.

THE Commiſsion adjurnes till Munday nixt the fourth of March at ten a clock in the forenoon.

MARCHMONT Cancellar. I. P. C.

IN the ſaid Commiſsion Mar. 4, 1700.

SEDERUNT.

The Lord Chancellour.	Sr James Smallot.
Lord Advocat.	Proveiſt of Edinburgh.
Lord Hallcraig.	Baillie William Menzies.
Sr Adam Gordon.	Anderſone of Dowhill.
Sr Archbald Muir.	

THE Commiſsion haveing conſidered the ſeaverall offers made by the perſones and places after named for the benefite of the communication of trade they did reject the ſaids offers as being too ſmall viz. The offer of eight pennies made for the Toun of Paiſley Item the offer of four pennies made for the Toun of Couper Item the offer of two pennies made for the Toun and Barrony of Bogny Item the offer of one ſhilling made for the Toun of Falkirk Item the offer of ſix pennies made for the Toun of Hawick Item the offer of three pennies made for the Villadge of St Ninians Item the offer of fyve pennies made for the Toun of Stonehyve Item eight pennies for the Toun of Ellie Item eight ſhilling for Burrowſtounneſs Item one ſhilling ſix pennies for Fraſerſburgh Item one ſhilling from Dunß Item two pennies from James Agnew younger of Lochnaw and others for Lochryane in Galloway Item three pennies from Prestounpanns Item ſix pennies from the Villadge of the Gorballs in Glaſgow Item two ſhilling ſix pennies from Graingepanns Item ten pennies from Old Aberdein Item four pennies from the Toun of Levine Item one ſhilling eight pennies from the Magiſtrats of Muſleburgh.

THE Commiſsion doeth recommend to the ſaids ſeaverall places to make better offers otherwayes they declair they will not grant them the benefite of the communication of trade And remitts to the Committy formerly named to receave any ſuch offers as ſhall be heireftꝰ given in and to prepair ane report theranent with ther firſt conveniencie.

A PETITION read for Sr John Shaw of Greinock craveing that Port Glaſgow might beare ane proportion of the nyne ſhilling laid upon Greinock the fyve years of Mr John Buchans tack read and the Toun of Glaſgow ordered to ſie the ſame againſt the nixt Sederunt of the Commiſsion.

ANE Petition for the Toun of Couper in Angus craveing that ſome might be appoynted to proportion ther releif dew to them of the quota laid upon them wherupon the Commiſsion did remit to Drummond of Meggins and Craigie of Dumbarny to caſt and proportion the releiſe dew to the ſaid Toun of Couper.

ANE Petition given in by the Magiſtrats of Portſburgh craveing that Mr John Buchan might be ordained to receave in ther proportion of the unfrie trade laid upon ther Villadge and that he receave ane liſt of ꝑe deficiency of the landwart pairt of the Paroch of St Culberts and of the Pleaſants and St Ninians Raw read And all pairties haveing interest to ſie and anſwer the ſame againſt the nixt Sederunt of the Commiſsion.

THE Commiſsion adjurnes till Wedinsday nixt at three a clock in the afternoon.

MARCHMONT Cancellar. I. P. C.

IN the aforſaid Commiſsion of Parliament for Communication of Trade. Mar. 20, 1700.

SEDERUNT.

The Lord Chancellour.	Lord Whythill.
Earle of Marr.	Sr Adam Gordoun.
Earle of Annandaill.	Sr Archbald Muir.
Lord Advocat.	Sr Robert Stewart.
Lord Halcraig.	The Proveiſt of Edinburgh.

MINUTS of the laſt Sederunt read.

THER haveing bein ane repreſentation made that ther wes ane Bill of Suſpenſion preſented to the Lords of Seſsion in name of Maxwell unfrie trader within the Shyre of Dumfreis complaining that he wes ſtented as ane unfrie trader by vertue of ane Decreit and Act of the Lords and others for communication of trade upon which a ſiſt wes granted till the 21 of March The ſaids Lords did therupon recommend to his Majeſties Advocat one of ther own number to meit with the three Lords of Seſsion who were to be upon the Bills the ſaid twenty one day and to acquaint them to order ther Clerks not to wreat upon or preſent any ſuch Bill heireafter ſeing ſiſting of execution or ſuſpending of the Acts Decreits and Ordinances of the Commiſsion of Trade belonged folly to themſelves.

THER haveing bein ane bill given in by the Baillies of Portſburgh againſt the Inhabitants of ꝑe Pleaſants and others which wes ordained to be ſein and anſwered and ther being accordingly anſwers given in to the Clerk The Lords and others of the Commiſsion remits the conſideration therof to the Committy appoynted by the Act of the therty of March laſt and adds the Proveiſt of Edinburgh to the ſaid Committy any two of them to be a quorum with full power to them to hear all pairties and determine finally therintill.

THER haveing bein ſeaverall propoſalls made anent the quota of the Royall Burrowes that ſhould be payed by the unfrie Traders for the benefite of communication It wes unanimouſly agried upon that ther ſhould be ane Act iſhued out by the Lords and others of the Commiſsion requireing the Commiſsioners of Supply within the reſive Shyres of the Kingdome to meit at the ordinary places of ther meiting upon the laſt Thurſday of Apryll nixt and ther to hear the Burghs of Regality and Barony and other unfrie Traders within ther bounds anent what offer they will make to the Royall Burrowes or ther Commiſsioners in ther name for the benefite of trade and to hear the Royall Burrowes on ther objectiones againſt the ſaids offers and to receave probation and other evidence for ſtating and adjuſting the ſaid quota and to ſett down in wreating ther opinion theranent and to re-

port the ſame to ther Commiſsion or the Clerk betwixt and the firſt of June nixt to the end the Commiſsion might have a full view of the ſaid matter befor them and might the more ſpeidily and warrantably adminiſtrat juſtice therin and remitted to the Lord Advocat to draw the ſaid Act and to his Majeſties Soliciter to diſpatch copies therof to the Sheriffs Stewarts and ther Deputs throughout the Kingdome Of which Act the tenor follows. AT EDINBURGH the twentieth day of March I^m vij^c ȝeirs The Commiſsioners appoynted by the twentieth Act of the ſeaventh Seſsion of the current Parliament for ſettleing the Communication of Trade-conſidering that by the forſaid Act of Parliament it is referred to ther determination what quota or pairt of the taxt roll of one hundred pounds of the Burghs Royall ſhould be laid upon the unfrie Traders of this Kingdome after the terme of Lambes I^m vj^c nynty eight years and in tyme comeing and to ſubdivide and proportion the ſame upon the Burghs of Regality Barrony and others who have got or ſhall accept and get the benefite of the ſaid communication as they ſhall find juſt And that by the ſaid Act they are empowered to call all perſons haveing intereſt before them and to take all manner of tryall neceſsary in the premiſses and to cite witneſses and iſhue out diligences requiſite for that effect as the ſaid Act bears And the ſaids Commiſsioners being deſyreouse to have the ſaid communication of trade ſettled in ſuch manner as may be moſt eaſy juſt and equall to all concerned Therfor they have thought meit to require and heirby doe require the Commiſsioners of Supply for the ſeaverall Shyres and Stewartries of the Kingdome to meit at the ordinary place of ther meitings the laſt Thurſday of Apryll nixt to come ther to receave and hear what every Burgh of Regality and Barrony and others unfrie Traders within ther reſpective bounds will offer and undertake to pay of the forſaid taxt roll of the Royall Burrowes for obtaining the communication and freedome of trade conforme to the Acts of Parliament made theranent As alſo to hear what the Burghs Royall within the ſaids reſpective bounds ſhall object againſt the ſaids offers and to receave and conſider what arguments probation or evidence may be adduced hinc inde for the better ſtaiting and adjuſting of the ſaid quota and to ſet down in wreating ther opinion theranent and to report the ſame to the ſaids Commiſsioners of Parliament or ther Clerk betwixt and the firſt day of June nixt to come to the effect the ſaids Commiſsioners may have a full view of what the ſaids offers will amount to and may the more advyſedly accept or reject every particular offer as they ſhall ſie cauſe And to the end the forſaid methode heirby laid down may be effectuall as is above deſigned the forſaids Commiſsioners doe heirby peremptorly require and command the Burghs of Regality and Barrony and all other unfrie Traders as alſo the Royall Burghs within ther reſpective bounds forſaid by themſelves or perſons fully impowered and inſtructed in ther name to attend the ſaids Commiſsioners of Supply tyme and place forſaid for makeing of the ſaids offers and diſproveing and approveing the ſame in manner abovementioned That the forſaids Reports may be fully and dewly made as ſaid is With certification that ſuch Burghs of Regality and Barrony and other unfrie Traders as ſhall not attend and obtemper the premiſses in manner forſaid or as ſhall not make ane ſatiſfieing offer to be approven by the forſaids Commiſsioners of Parliat they ſhall be proceided againſt as unfrie Traders both for bygones ſince the ſaid terme of Lambes I^m vj^c nynty eight yeirs and in tyme comeing And to the effect that none concerned pretend ignorance in this matter The ſaids Commiſsioners of Parliat doe heirby ordaine theſe preſents to be prented and publiſhed at the mercat croce of Edinburgh and at the mercat croces of the head Burghs of all the Shyres and Stewartries of the Kingdome As lykewayes at all the paroch kirks within the ſaids Shyres and Stewartries upon ane or other Lords Day after the forenoons preaching preceiding the ſaid laſt Thurſday of Apryll And that his Mäties Soliciter diſpatch printed copies with the dew orders tymeouſly to all the ſaids Sheriffs and Stewarts or ther Deputs to the end forſaid which Sheriffs & Stewarts or ther Deputs are heirby commanded to returne ane accompt to the ſaid Soliciter of ther dilligence as they will be anſwerable Signed by warrand and in preſence of the ſaids Commiſsioners day & place forſaid by

MARCHMONT Cancellar. I. P. C.

THE Commiſsion adjurnes till the first of June nixt to come.

MARCHMONT Cancellar. I. P. C. *

IN the Commiſsion for Trade, July 3, 1700.

SEDERUNT.

The Ld Chancellour.	Jo^n Anderſon of Douhill.
The Provoſt of Ed^r.	Baillie Meinzies.
Sr James Smallot.	The Provoſt of Aberdein.
Sr Archbald Muir.	

IT being repreſented that in obedience to the late Act of the Commiſsion ſeall reports were come in from the Commiſsioners of Supply of certane offeres made by the Brughs of Regalitie Barronie & op^r onfrie traders for the benefyte of the communication of trade the Commiſsione did p^rupon remitt to the Committy formerly named to conſider the ſaids reports & offeres p^rin mentioned allready produced and what heirafter ſhall be produced and to report p^r opinion whether or not the ſds offeres are reaſonable & ought to be accepted and appoynts the Committie to meet to morrow afternoon.

THE Commiſsion adjurnes to Munday nixt at three afternoon.

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[REPORT from the Commiſsioners of Supplie of the Shyre of Ayr anent the Communicatione of Trade.

Air 25th Aprill 1700.

Conveened the Commiſsioners of Supplie.

The Maiſter of Cathcart.	Knockdolliane.
The Laird of Rowallane.	Proveſt Crauford of Drumdow.
The Laird of Corsbie.	Auchindrain.
The Laird of Bruntsfield.	

The Maiſter of Cathcart Preses.

THE Commiſsioners of Supplie abovenamed haveing conveened in obedience to the Act of the Commiſsione of Parliament for ſetling the communicatione of trade of the dait the twenty day of March laſt bypaſt for receiving and hearing what every Burgh of Regality and Barrony and unfree traders within the bounds of the ſhreffdome of Air will offer and undertake to pay of the Taxt Roll of the Royall Burrows therin mentioned for obtaining the communicatione and freedome of trade conforme to the Acts of Parliament made thereanent as also to hear what the Burghs Royall within the saids reſpective bounds will object againſt the saids offers as in the said Act at more lenth is contained And the perſons afternamed haveing compeired in preſence of the saids Commiſsioners they gave in the following offers viȝ. Mr Wm Cochrane of Killmaronock offered for the Toun and Parochin of Kilmares and Kilbride each of them the fourth pairt of ane penny Scots Charles Dalrymple chamberland to the Earle of Killmarnock offered for the Toun of Killmarnock and such of the Parochin thereof as will accept twelve pennies Scots John Birſbane younger

* "The Register of the Commission of Parliament for settling the Communication of Trade," &c. terminates with the Proceedings of March 20, 1700.—Those which follow, have been taken from the original Warrants, which are, however, apparently incomplete.

of Bishoptone in name of Alexander Lord Montgomry Mr Francis Montgomry of Giffan Sir John Shaw of Greenock and the rest of the heritors within the Parochin of Beith two pennies Scots Mathew Frew at Killwinning as haveing commiſsione from the said Alexander Lord Montgomry and considerable heritors of the Parochin of Killwining Stevenſtone & Ardroſsan offered eight pennies Scots for the saids three Parochins The Lord Boyle and the said John Brisbane younger of Bishoptone offered for the Parochin of Largs and Dallray two pennies Scots The said Mr William Cochrane of Killmaronock offered for the Paroch of Symontone half a penny Scots being five ſhilling Scots monethly when ceſs is imposed As also the said William Cochrane of Killmaronock William Fullertone of that Ilk and William Fairlie of Bruntsfield offered for the Paroch of Dundonald half a penny Scots being five shilling Scots monethly when ceſs is imposed James Riddoch Baillie of the Regality of Cumnock two pennies Scots for the Toun of Cumnock and such of the Parochin thereof as will accept and that for the benefite of the communicatione of trade Lykeas there was given in be the saids John Brisbane younger of Bishoptone ane offer ſubscryved be the said Lord Boylle and him whereby the rest of the haill Parochins within the Bailliary of Cunynghame offered amongst them to take ſome ſmall ſhare of the Quota of the Taxt Roll and craved to be represented to the Commiſsion of Parliament as willing to take ſhare in the communicatione of trade though in probability they could have litle or no trade yet desired not to be secluded from trading if occasion offered & expects the Commiſsion will give them a ſmall quota And Robert Moor pũt Proveſt of Air & Mr Alexr Cunynghame of Chirrielands lait Proveſt of Irvine being both personally preſent craved a competent time to object agt the abovewritten offers to whom the saids Commiſsioners aſsigned Saturday next being the twenty ſeventh day of April inſtant for giveing in of ther objections there against And aſsignes the fourth day of May next to come to the said Mr William Cochrane of Killmaronock & opr pſons abovenamed givers in of the forsaids offers to give in ther answers against the saids objections Which objections the clerk is hereby ordered to transmit to the forenamed perſons immediatly after receiving thereof upon pr own expenſs and after returning of the saids objections & answers thereto to the clerk the saids Commiſsioners recommends the Mr of Cathcart to report the premiſs to the Commiſsione of Parliament or ther clerk betwixt and the firſt of June next to come conform to the Act abovementioned Sic ſubſcribitur M. Cathcart I. P. C.

Followes the Objectiones given in be the Toun of Air & Irvine againſt the severall offers made be the Burghs of Barrony & Regality & others within the ſreffdome of Air for the benefite of the communicatione of trade.

1mo. The offers made ought not to be regairded in reſpect the perſons offerers and ſubſcryvers thereof are not authorized by Commiſsions from the ſeall Burghs & Parochins for which they pretend to offer and although they were authorized yet ſcalls of them live out of the Parochins for which they offer ſome of them out of the ſreffdome & oprs of them single persons who may remove out of the Shyre or Kingdome at pleaſure & so ther offers though accepted is no ſecuritie to the Royall Burrows for pr relief.

2do. The offer made for Killmarnock is very mean and ridiculous for thir reasons First It is offered to be proven that the trade of Killmarnock in import & export to France Holland Norraway Virginia England Ireland & opr forraigne pairts hes been very considerablo thir severall years bygone and about if not above half of the trade of both the two Burghs of Air and Irvine which are lyable to thretty two ſhilling Scots of the Taxt Roll Secondly a few years agoe they ſettled with Mr John Buchan when tackſman for five ſhilling Scots of the Taxt Roll and thereafter when his tack fell and came in the Burrows hands they agreed with Irvine for four ſhilling ſix pennies of the said Roll which was approven by the Magiſtrats Councill and others in Killmarnock & can be inſtructed by ther agreements since which time ther trade is advanced above ane third and so ther offer of twelve pennies Scots is moſt unreaſonable.

3tio. As to Kilwinning ther agreement with Mr John Buchan for themselves diſtinct from Saltcoats & Ardroſsan was much more then what is now offered for all of them and the trade of theſe places to the Sound France England Ireland and other pairts being double of what it then was ther preſent offer of eight pennies Scots is moſt inſignificant and it can be made appear where one veſhell is cleared at Air there are ſix cleared wherein theſe Touns are concerned.

4to. As to the offers for the other Burghs and Parochins they are ſo very mean that no perſon who knowes the places and ther trade but will be ſatisfied it is so and the whole offers made in the Shyre amount only to two ſhilling two pennies Scots or thereby though the trade of the Shyre (diſtinct from its two Royall Burrows forſaid) does equall if not exceed the trade of the saids two Royall Burrows and it is highly unreaſonable that they ſhould have the benefite of trade and not bear the burden ſuitable thereto.

In teſtimonie whereof the Magiſtrats of Air & Irvine have ſubt thir pũts at Air and Irvine the twenty fifth and twenty ſixth days of April one thouſand ſeven hundred years Sic ſubſcribitur Robert Moor Proveſt of Air Da. Fergusone Baillie Hugh M Hutcheon Baillie William Cunynghame Provest of Irvine J. Thomſone Baillie W. McTaggart Baillie.

To the which Objectiones the following Answers were given in be the persons afternamed viz.

Imprimis be Alexander Lord Montgomry That as to the first and third objections they were only what concerned these two places And as to the first that the perſons that made the offer were not ſufficiently authorized the ſame cannot be found relevant seeing he who is the person principally concerned in these Parochins gave commiſsion & warrand to the said Mathew Frew merchant in Killwinning to make the offer and ſhall give ſecurity for performance As to the third that the offer is too mean his Lop: believes it will not be thought so be the Commiſsion of Parliament in regaird that the offer made to Mr John Buchan was but ſeven pennies and this is eight and beſides retaillers were then lyable whereas now by the late Act of Parliament these who trade in commodities vendibill be the Royall Burrows are to pay this And as to that pairt that there are more veſhells cleared at the Saltcoats then at Air or Irvine The reason is the export of coalls for which they ought to pay no Stent and it is weel known that the place is so inconsiderable that it hes no trade but such as arises from the conveniencie of the harbour which makes veſhells belonging to Killmarnock Irvine and other places put in there so that the benefite ariseing from the trade there belongs to others not to them Sic ſubſcribitur Montgomerie.

And ficklyke the Lord Boylle and John Briſbane younger of Bishoptone gave in the following answers, for the haill Parochins of the Bailliary of Cunynghame bearing that whereas these Burghs object that Killmarnock and all the rest of the Parochins of the said Bailliary offered more formerly, and that it is very ſmall what is offered which is all the strenth of ther objectione It is answered that Killmarnock and the other Parochins in Buchans time, were compelled to take any quotas they being all lyable for ther haill moveables as retaillers of forraigne goods without licence from Burghs, but now the Parliament haveing freed all retaillers and fixed it on exportatione and importatione so that the quotas offered will not appear mean and if they ſhould be thought too ſmall they refer all to the Commiſsione of Parliament Sic ſubſcribitur Boyle Jo. Brisbane.

As also the following answers were given in for the Toun and Barrony of Killmarnock bearing whereas the offerers Commiſsion is objected against, the objection is frivolus for the offer ſhall be made good, and it is not the ſecurity of the offerer which the Royall Burrows are to rely upon, but the authoritie of the

decreet of Parliament, But to remove all objectiones the Earle of Killmarnock does hereby renew his offer for his Burgh and Barrony and fubſcryves the ſamen.

Whereas it's offered to be proven that the forraigne trade of Killmarnock, does equall if not exceed the trade of Air and Irving its denyed for the Toun of Killmarnock hes little or no forraigne trade and to redargu that objectione they are willing to appeall to the Cuſtom Books which are kept by the Magiſtrats of Irving and Air who are Collectors at these ports, And the offer of twelve pennies Scots of the taxt roll made for the Toun of Killmarnock is too high for any forraigne trade they aither have or can expect, ſeeing they lye ane considerable diſtance from the ſea nor have they any ſea port and there is not above two or three perſons in the wholle Toun of Killmarnock that aither hes or underſtands forraigne trade.

As to the pretence that Mr John Buchan had agreed with the Toun of Killmarnock for four ſhilling ſix pennies of the taxt roll Its of no moment becauſe that was a force upon the inhabitants who became all obnoxius and lye under the lash of Mr John Buchans dilligence as retaillers and handie craftsmen becauſe of the extentione and prohibitione of all manner of trade which was taken of in the last Parliament, and the Burghs of Barrony & Regality reſtored to ther former priviledges, so that now they are only to purchase a communicatione of forraigne trade and ther agreement with Mr Buchan can be no rule.

Whereas its pretended that the offers made by the whole Shyre are very mean and bears no proportione to the burden which the Burghs of Air and Irvine bears Its answered Primo for Killmarnocks ſhear ther offer is more then proportionable to any benefite they can expect by the communication of trade 2do If the valuatione of the lands and tennends within theſe Royall Burrows be brought in computo It will appear that they pay nothing at all for trade for when pr proportione of the Taxt Roll is imposed upon the rents of ther lands & tennents they have far greater ease then the country gentlemen ſo that these Burrows for all ther clamour payes nothing at all for trade and de facto no merchant aither in Air or Irvine hes payed for trade theſe many years Sic ſubſcribitur. Kilmarnock.

M Cathcart.

Alexr McDermeit Cl:]

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[REPORT anent the Offers for Communication of Trade within the Shyre of Clackmannan.

AT Clackmannan the Tuentie fyfth day of Apryle Im vijc years.

THE which day ther being conveined the Laird of Kennet Mr Alexr Abercrombie of Tillibodie Mr Robert Stewart one of the Commiſsars of Edinburgh Shirefe Principall of Clackmannan and Robert Allan Bailzie of Alloa Commiſsioners of Supplie of the Shyre of Clackmannan for receiving and hearing what everie Burgh of Regalitie & Baronie and others unfree Traders within the Shyre of Clackmannan would offer & undertake to pay of the taxt roll of the Royall Burrowes for obtaining the communication of trade conforme to the Acts of Parliament made theranent And that in obedience to ane Act of the Commiſsion of Parliament for ſetling the said communication of trade dated the tuentie day of March laſt bypaſt Compiered Captane John Bruce brother germane to the Laird of Clackmannan and offered for the communication of trade for the Baronies of Clackmannan and Sauchie one pennie Scots of the Burrowes taxt roll And the Laird of Kennet offered for the Baronie of Shambodie and Kennet a fourth part pennie Scots of the said Burrowes taxt roll And the said Mr Robert Stewart offered for the Barronie of Tillicultrie the lyke soume of a fourth part pennie Scots of the Burrowes taxt roll And the said Mr Alexr Abercrombie of Tillibodie offered for the Baronie of Tillibodie ane halfe pennie Scots of the Burrowes taxt roll And the said Robert Allan offered for the Toune & Regalitie of Alloa one shilling Scots of the ſaid Burrowes taxt roll As alſo Compiered the Fewars of Doller and offered for the Paroſchine of Doller a fourth part pennie Scots of the Burrowes taxt roll And lykewayes Compiered Malcolme Towart in Chirmerland and offered for the lands of Chirmerland the lyke soume of a fourth part pennie Scots of the Burrowes taxt roll Which offers reẍive the ſaids Commiſsioners having conſidered they thought reaſonable and remit the ſame to be approven of by the Committie for communication of trade. Extracted by me William Gray Clerke to the Commiſsioners of Supplie of the Shyre of Clackmannan.

Will: Gray.]

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[OFFERS of the Burghs of Regality and Barony within the Shyre of Lanerk anent the Communication of Trade.

AT Lanark the Tuentie fyfth day of Aprill Im vijc yeirs. The whilk day in obedience to ane Act of the Commiſsion of Parliament for ſetleing the communication of trade, met the Commiſsioners of Supply of the Shyre of Lanerk And in preſence of the saids Commiſsioners Compeired John Muirhead tailyour in Hamilton, and James Loudoun merchant ther, as Commiſsioners for the Burgh of Hamilton, and produced ane Commiſsion granted by the Bailzies and Counſell of the said Burgh in name of the Community therof, And ther the ſaid John Muirhead and James Loudon as Commiſsioners forſaid, offered to take eight pennies Scots money of the tax roll of ane hundred pund, And ther being ſome Commiſsioners from both Glaſgow and Lanerk viz. For Lanerk Archibald Simpſon merchant ther, And for Glaſgow Bailzie Cuming and Bailzie Buchanan who did object againſt the offer made for Hamilton, that they thought it too litle alleadging that the Toun of Hamilton might pay als much as the Toun of Lanerk or Rutherglen, The Commiſsioners for Hamilton haveing anſwered that they had at preſent no foraigne trad nether could theſe Burghs make it appeir that they have any And did alleadge also that nether Lanerk nor Rutherglen payed any thing for ther trad, And when Hamilton took the forſaid eight pennies Scots, of the forſaid hundered pund of the tax roll they wold pay more then Lanerk at leist they would not be much ſhort of them Lanerk payeing only threeſcore punds Scots a moneth, And Hamilton for the Toun and Aikers payes fyftie pund Scots a moneth And it being put to a vote whither the ſaids Commiſsioners of Supply thought the offer of Hamilton of eight pennies money forſaid reaſonable they did think it reaſonable. As alſo Compeired Walter Lockhart of Kirktoun for Carlook, and offered to take off the eight pairt of a Scots pennie of the ſaid tax roll Lanerk and Glaſgow objected nothing againſt it, And ſicklyke compeired John Summervell of Spittell for the Laird of Carnwath's haill intereſt and offered to take off the fourt pairt of a Scots pennie of the ſaid tax roll which the forſaid Commiſsioners for the Royall Burrowes thinks too litle. The rest of the Burghs of Regality and Barony within the ſaid Shyre makes no offer. Extracted furth of the books of the ſaid Shyre by me Master Thomas Hamilton of Raith Clerk to the ſaid Commiſsioners of Supply.

Tho. Hamilton.]

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[REPORT of the unfree Traders offers within the Shireffdome of Renfrew.

AT Paslay the tuentie fyfth day of Apryll Im vijc years, Sederunt Alexander Lord Blantyre, Sir John Houstoune of that Ilk, Sir John Schaw of Greenock, Alexander Porterfeild of that Ilk and of Duchald, William Cunynghame of Craigends, Mr John Stewart yor of Blackhall, Archbald Ballantyne yor of Kelly, James Dun-

lope of Houſhill, Robert Hall of Fulbar, James Cochrane of Maineshill, John Wallace of Neilſtounefyde, Claud Alexander of Newtoune, Maxwell of Williamwood, and Robert Alexander one of the Baillies of Paſley, who elected the ſd Alexr Lord Blantyre Preces.

THE whilk day the saids Commiſsioners haveing met this day & place being the ordinar place of their meeting, anent receaveing and hearing what everie Burgh of Regalitie, Barronie, & others unfree Traders within the bounds of the Shirreffdome of Renfrew, would offer and wndertake to pay of the taxt roll of the Royall Burrowes for obtaining the communicatione & freedome of trade in the termes of ane Act of the Commiſsione of Parliament for ſettling the communicaone of trade dated the tuentieth day of March laſt relative to the 20 Act of the 7th Seſsione of this current Parliament, and anent hearing what the Burghs Royall within the ſd Shyre ſhould object againſt the ſds offers, and to receave & conſider what arguments probatione or evidence ſhould be aduced hinc inde for the better adjuſteing of the forſds reẍive quotaes, according to which John Briſbaine of Biſhoptoune offered the fourt part of ane pennie Scots for the benefeit of the communicatione of trade for his intereſt of propertie & superioritie within the Pariſh of Erſkine payeable yearly when called for, Item Sir William Stewart of Caſtelmilk as taking burdine upon him and in name & behalf of the Burgh of Barronie of Gourock offered four pennies Scots money, Item Archbald Ballantyne yor of Kelly offered for freedome of trad to himſelf and his tennants half ane pennie Scots, Item McGilchriſt of Northbarr offered for freedome as ſd is to himſelf & tennants the sextine part of ane pennie Scots, Item Lawrence Craufurd of Jordanhill offered as ſd is for freedome to himſelf & tennants the eight part of ane pennie Scots, Item James Cochrane of Maineshill offered for freedome as ſd is to the Earle of Dundonald and his vaſsalls & tennants the fourt part of ane pennie Scots, Item Mr John Stewart yor of Blackhall offered for freedome as ſd is to Sir Archbald Stewart his father & to himſelf and their vaſsalls & tennants four pennies Scots money Item Sr John Schaw of Greenock as haveing order & commiſsione from Sir John Maxwell Lord Juſtice Clark offered the sextine part of ane pennie Scots of the Burrowes taxt roll for the libertie of trad to the ſd Lord Juſtice Clark his tennants & opres w'in the lands belonging to him though there be noe wnfree tradders within the ſamen nor a probability pt there will be any to make wſe of the ſd libertie but only pt the ſd Sir John & thoſe w'in his lands may be free though they ſhould never make wſe of the freedome Item Alexander Lord Blantyre upon the conſiderationes abovewryten did offer to paye conforme to the eight part of a pennie Scots of the Burrowes taxt roll for all his lands within the Kingdome Item Sir John Houſtoune offered tuo pennies Scots for freedome as ſd is for his intereſts and of propertie, & for the tennants & poſsesſors, of the eſtate of Newark in Kilmacolume, Port Glaſgow & Houſtoune, Item Alexander Porterfeild of pt Ilk offered for freedome as ſd is to himſelf and tennants the fourt part of ane pennie Scots, Item the ſd Alexr Porterfeild as haveing order and commiſsione frae the Earle of Glencairne offered the fourt part of ane pennie Scots, for the forſd libertie to the ſd Earle and his tennants w'in his lands, Item Baillie Robert Alexr for himſelf and in name and behalfe of the Toune of Paſley offered eight pennies Scots for freedome as ſd is Item William Cunynghame of Craigends offered half ane pennie Scots for freedome as is abovementioned to himſelf and tennants w'in the lands belonging to him, Item Sir John Schaw of Greenock offered fyve ſhilling Scots for freedome as is above ſpecified to himſelf and tennants w'in his haill lands belonging to him & inhabitants of the Toune of Greenock, Item James Tailzeor merchant in Craufurdsdyck for himſelf and in name of the Toune of Craufurdsdyck and the Laird of Carsburne his tennents in Greenock for the freedome abovewryten offered eightine pennies Scots mony, Item Sir John Houſtoune as haveing order & commiſsione from the Laird of Dargavell for the freedome forſd to him and his tennants offered the sextine part of ane pennie Scots.

Compeared Campbell of Woodſyde Prôveſt of Renfrew who objected that the offers made by Caſtelmilk, Blackhall yor, Sir John Houſtoune of pt Ilk, for his oune intereſts and of the eſtate of Newark, Robert Alexr for Paſley, Sir John Schaw for himſelf vaſsalls tennants & poſsesſors, James Tailzeor for himſelf & in name of the inhabitants of Craufurdsdyck and poſsesſors of Craufurdsburnes land, were not proportionable to their reẍive trade and offered to aduce probatione for pt effect and craved a competent dyet might be aſsigned to him pranent And for that effect the ſds Commiſsioners appoynted Tewſday nixt thereafter And granted warrand for diligence againſt witneſs for pt effect, Sir John Houſtoune proteſted that ſince objectione was made againſt his offer that he might have libertie to retract the offer the nixt meeting as he ſhould think fitt, And in lyck-manner did Robert Alexr for Paſley and Thomas McCunn for Caſtelmilk.

PASLEY the threttie day of Aprile 1700 years, Sederunt Alexander Lord Blantyre, Lord Juſtice Clark, Sir John Houſtoune, Sir John Schaw, Blackhall yor, the Laird of Craigends, Johnſtoune yor, Duchald, Barrochane, Fulwood, Houſhill, Pollock, Newtoune, Baillie Robert Alexander, Kelly yor, & Caſtelmilk, who elected the ſd Lord Juſtice Clark Preces.

COMPEARED the ſd Proveſt of Renfrew, who gave in diligence againſt witneſs with the executiones prof And craved the witneſs might be aduced againſt the poſsesſors of Caſtlemilks land, with Houſtounes, Paſley, Blackhall, Greenock and Craufurdsburne, and produced ane Inſtrument againſt the Havers of the Cuſtome Books for exhibitione prof whilk not being done he craved the ſamen might as yet be done.

Francis Lord Sempill offered half ane pennie Scots for the forſd freedome of trade to himſelf and his tennants w'in his lands and poſsesſors prof, Item William Walkinſhaw of Scotstoune for freedome of trade in maner above wryten for himſelf and his tennants and poſsesſors of his lands, offers half ane pennie Scots, Item James Walkinſhaw of pt Ilk offers half ane pennie Scots for freedome as ſd is to him & his tennants & poſsesſors, Item Patrick Fleeming of Barrochane offers the sextine part of ane pennie Scots for the freedome above wryten to himſelf and his tennants & poſsesſors of the lands belonging to him, Item Robert Pollock of pt Ilk offers the sextine pt of ane pennie Scots for the forſd freedome to himſelf and his tennants, Item Sir John Schaw of Greenock as haveing order & commiſsione from William Mure of Glanderſtoune for the freedome of trade to him & his tennants offered the sextine pt of ane pennie Scots, Item the ſd Sr John Schaw as haveing order & commiſsione from aireſs of Caldwall Weſter for the freedome of trade to her & her tennants offered the sextine pt of ane pennie Scots, Item Alexr Porterfeild of pt Ilk as haveing order and commiſsione from Gavine Ralſtoune of pt Ilk offered the sextine pt of a pennie Scots for his & his tennants freedome of trade in manner âſpẽit, Item Claud Alexander of Newtoune offers the sextine part of ane pennie Scots for the above wryten freedome to himſelf and his haill tennants & poſsesſors of his lands, Item Lodovick Houſtoune yor of Johnſtoune offers for his father and himſelf and their tennants freedome of the above ment trade the sextine part of ane pennie Scots, Item James Dunlope of Houſhill offered the sextine pt of ane pennie Scots for freedome as ſd is for himſelf and his haill tennants & poſsesſors of the lands belonging to him, Item Alexander Porterfeild of Fulwood offered the sextine part of ane pennie Scots for freedome to him and his tennants as ſd is, Item Sr John Houſtoune as haveing order & commiſsione from William Hamiltoune of Orbiſtoune offered the fourt part of ane pennie Scots for freedome to him and his tennants & poſsesſors of his haill lands in Renfrew, Dumbartane & Lanarck in manner above wryten,

Item Campbell of Woodſyde offered for freedome as ſd is the sextine pt of ane pennie Scots.

Followes the Depoſitiones of the witneſs.

Compeared James McCune in Gourock widdow aged fyftie tuo years or p^rby who being purged of partiall councell budd or brybe, solemly ſuorne and interrogate Depones that within Caſtlemilks bounds there may be threttie or fyftie fiſhing boats, and p^t ſome of theſe boats by fotting them by putting ane ſtrack of board upon p^m goes to Ireland & brings home meall or staves or ſcrowes, or some boards for building of fiſhing boats but depones he knowes not how many of them practiſs the ſamen, but only that there is ane mikle boat or bark that moſt frequently ſua practiſs, ane part of q^ch bark belongs to Caſtlemilks tennants and the op^r half to Greenock And this to be the trewth he depones as he ſhall anſ^r to God And in lyckmanner depones that there are ſome boats belonging to the Laird of Blackhall in Inuerkipe that practiſs the lyck & p^t there is only one bark belonging to his tennants that he knowes of p^t ſua does And this also to be the trewth he deponed as he ſhould anſwer to God Deponed he could not wryt Sic ſubſcribitur Jo: Maxwell I. P. C. Wm Tarbat Clk.

Compeared James Scott ſkipper in Gourock married aged fourtie fyve years or p^rby who being ſuorne purged vt ante & interrogate deponed conforme vt precedenti in omnibus with this additione that there is one Couper boat ſomewhat more then the fiſher boats in Gourock that ſua does And this to be the trewth as he ſhould anſwer to God Sic ſubcribitur Jo: Maxwell I. P. C. James Scott. Wm Tarbat Clk.

Compeared Allan Spear Baillie in Greenock aged 40 years married who being ſolemly ſuorne purged & interrogate Depones that there is ane ſhipe called Nepptoun that as he hears belongs to Greenock & Craufurdsdyck but doth not know what pt p^rof belongs to each of ꝑe ſds Touns & inhabitants p^rof Depones alſo that there is one called the John that is called ane Greenock ſhipe but knows not whither there be any op^r partners p^rin or not, that duells in any other Toune or not, Depones alſo that there is ane ſhipe called the George q^rof Robert McClearie is maſter But p^t ane pt of her belongs to Glaſgow And in lyckmanner that there is ane other called the Hendrie and p^t ane great part p^rof belongs to Glaſgow Depones alſo that there is ane bark that is reported to belong to William Rouand but knowes not whither there be any partners in her that refids elswhere And als that there is ane other bark that is ſaid to pertaine to James Johnſtoune Depones alſo that there is ane travellar boat that is ſd to belonge to James Rankine Depones this to be the trewth as he ſhall anſwer to God Sic ſubſcribitur Allan Speir. Jo. Maxwell. Wm Tarbat Clk.

Compeared Alexander Mitchell mer^t in Greenock unmarried aged 22 years or p^rby who being ſolemly ſuorne purged & examined Depones that there is one ſhipe called the John p^t is ſd to belong wholly to the inhabitants of Greenock as als the George Nepptoune & Hendrie & the tuo barks & the travellour boat contained in the preceeding depoſitione, But that it is reported that the partners in them are Glaſgow people to wit the partners of ſome parts of the ſds ſhips is ſd to belong to Glaſgow & the boats & barks wholly to Greenock and this to be the trewth as he ſhould anſwer to God Sic ſubſcribitur Alex^r Mitchell. Jo. Maxwell. Wm Tarbat Clk.

Compeared James Tailzeor in Craufurdsdyck married aged 57 years or p^rby ſuorne purged & interrogate Depones that there is tuo boats belonging to the inhabitants of Craufurdsdyck about nyne tun per peice, Item op^r tuo boats about nyne tun ane p^rof & the op^r about ſex tun and that there is ane ſhipe called the Nepptoune ane part p^rof as is reported about ane third part that is ſd to belong to James Galbraith And this to be the trewth as he ſhall anſ^r to God Sic ſubſcribitur James Tailzeor. Jo. Maxwell. Wm Tarbat Clk.

Compeared John Gay mer^t in Newark unmarried aged 29 yeirs or p^rby who being ſuorne purged & interrogat Depones that ther is one Gabart belonging to the inhabitants of Newark & ane open boat alſo pertaining to them but that he never knew any of them practise import or export but only once the bringing meall from Ireland And this to be the trewth as he ſhall anſ^r to God Sic ſubſcribitur Jo: Gay. Jo. Maxwell. Wm Tarbat Clk.

Compeared John Craufurd maltman p^r married aged 52 yeirs or p^rby who being ſuorne purged & interrogate Depones vt precedenti in omnibus And this to be the trewth as he ſhall anſ^r to God Sic ſubſcribitur Jo: Craufourd. Jo: Maxwell. Wm Tarbat Clk.

Followes the ſds Commiſsioners their reporte and opinione in wryteing conforme to the preceeding Act of Commiſsione of Parlia^t.

The laſt meeting of this Shyre haveing adjurned that dyet & meeting from that tyme, till this day and place, in order to the receaveing in of the reẍive offers than, or now made, And the hearing of what probatione ſhould be adduced by the Proveiſt of Renfrew againſt the ſds offers, that they are not proportionable to their trade, the ſaids Commiſsioners haveing conſidered the reẍive offers and probatione led againſt the ſame they in obedience to the Act of Commiſsione of Parliament requyreing them to ſet doune their opinione thereanent in wryting They as to thoſe offers againſt whom there is noe objectiones made, or where objectione was made, but noe probatione led and adduced, gives their humble opinione that the ſamen offers ought to be receaved and ſuſtained by the Right Honora^ll the Commiſsioners of his Mãties Parliament, And as to thoſe againſt whom there was objections made by the Proveiſt of Renfrew, and probatione led againſt the ſame, the ſds Commiſsioners gives their opinione that the ſds offers are not unreaſonable, and recommends to the ſaids Commiſsioners of Parlia^t to receave and accept p^rof, And ordaines abſtracts of the haill offers minuts of proces and depoſitiones of witneſs to be tranſmitted conforme to, and in the termes of the ſd Act of Commiſsione of Parliament Sic ſubſcribitur Jo: Maxwell I. P. C.

The Proveiſt of Renfrew proteſts that the probatione being lame the cuſtome books not being produced that the ſamen may yet foe be done, And thereupon tooke inſtruments Extracted furth of the Records of the ſds Sederunts by me Wm Tarbat Clk.]

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[ACTS and REPORT of the Commiſsioners of Supply of Stirling Shyre anent the unfrie traders.

At Stirling the twenty fyfth day of April one thousand and seven hundred years.

SEDERUNT.

Sir Alexander Hope of Kerſs, Captain John Areſkine Livtennant Governor of Stirling Caſtle, William Livingſtoun of Weſtergreenyairds, Mr Robert Murray of Weſter Livelands, John Forrest of Pardivane, John Wordie of Torbrex, James Dow of Bandeath, John Christisone of Shirreffinuirlands, Hary Rollo of Woodſyde, Mr Charles Bennet Shirreff Deput, and Mr Francis Napier of Craiganat.

The Laird of Kerſs Preces.

THE same day, the Commiſsioners haveing met, in obedience and conforme to ane Act of the Commiſsione of Parliament for settleing of the communicatione of trade, dated at Edinburgh the tuentie day of March laſt by paſt, for receaveing in of the offers for communicatione of trade, together with the objectiones by the Burgh of Stirling againſt the same, as the said Act in itselfe more fully bears.

The same day Compeired James Neisbet Chamberland of Airth and gave in his offer for the Regality and Barrony of Airth,

the soume of six pennies Scots of the taxt roll, Subt the tuenty fourth of April inſtant.

Item Sir Alexander Monro of Bearcrofts gave in his offer of the fourth pairt of a Scots penny for the Barrony of Bearcrofts, Subt the fyftein of this inſtant.

Item James Monteith of Mylnehall gave in his offer for himſelfe and his tennants of the halfe of ane Scots penny, Subscryved the tuentie third inſtant.

Item John Bowie of Saltcoats gave in his offer for himſelfe and his tennants of the halfe of ane Scots penny, Subscryved the tuenty fourth.

Item William Livingstoune of Greenyairds as haveing Commiſsione from John Smith yor of Manuellrig, gave in his offer of the sixtein pairt of a penny Scots for the lands of Manuellrig and Cathland, Subt of this date.

Item the said William Livingstoune as factor for the estates of Carnock and Plean, gave in ane offer of the fourth pairt of a Scots pennie for the sds Barronies, Subt of this date.

Item the said William Livingstoune gave in his offer of the sixteine pairt of ane Scots penny for his lands of Wester Greenyairds and Craigingelt, Subscryved of this date.

Item Sir James Livingstoune of Westquarter, gave in his offer of tuo pairts of a Scots penny for his lands and barrony of Westquarter, Subscryved of this date.

Item George Menzies Baillie of the Toune and Regality of Fallkirk gave in his offer for the ſaid Toune and Regality, of tuelve pennies Scots, Subt of this date.

Item James Dow portioner of Bandeath, gave in his offer of a sixtein pairt of a Scots penny for his pairt of Bandeath, Subt of this date.

Item John Murray of Touchadame, gave in his offer for his heall lands both proppertie and superioritie, of four pennies Scots Subt of this date.

Item Hary Rollo of Woodſyde gave in his offer of the eight pairt of a Scots penny for his lands of Woodſyde Subt this day.

Item Sir Hugh Paterſone of Bannockburne, gave in his offer of tuo pennies Scots for his lands both in proppertie and superioritie, Subscryved this day.

Item Sir Alexander Hope of Kerſs, gave in his offer of three pennies Scots for his lands and barrony of Kerſs and lands of Langtoune both propperty and superioritie Subt this day.

Item the said Laird of Kerſs gave in ane offer for Andrew Wallace of Little Kerſs, for himselfe and his tennants, of halfe ane penny Scots Subt this day.

Item Mr William Livingstoune of Killsyth made offer for his heall lands both in property and superiority of four pennies Scots Subt of this date.

Item James Grahame of Buchlyvie gave in his offer of the eight pairt of a Scots penny for the communicatione of trade to his heall lands both in property and superiority Subt this day.

THE same day compeired John Stivenſone of Knockhill present Provest of Stirling, and craved that he might have a double of the offers made, and a day aſsigned him to give in his objectiones theragainſt, Which being conſidered by the Commiſsioners, they granted the same And appoints their firſt meeting to be upon the firſt Tuesday of May nixt at this place, As alsoe impowering the Clerk to receave in any of the offers that ſhall be made by any in the Shyre betuixt and the said day, subt with their hands And to give ane double of the same to the said Provoſt of Stirling that he may object againſt the same betuixt and the said day, With certificatione that these who give not in their offers betuixt and the said day, they will not be allowed to doe the same theiraſter, And ordains the Clerk to give extracts and cauſe intimat the same at the severall Parioch Churches betwixt and the foirſaid day. Sic subscribitur Alexr Hope I. P. C. Extracted furth of the Books of Supplie by me,

H. Christisone Clk.

AT Stirling the seaventh day of May one thousand and seven hundred years.

SEDERUNT.

THE Lairds of Kerſs, Denovane, Threttie aikers, Torbrex, Wester Livelands, Shirreffmuirlands, Sauchie, Wester Greenyairds, and Mr Francis Napier of Craigannat.

The Laird of Kerſs Preceſs.

THE same day, Sir John Areskine of Alva compeired and took the oath of alleadgeance and subscryved the aſsurance in the former Act.

The same day the Clerk preſented ane offer be John Lord Elphingstoune for the Barrony of Elphingstoune, of the halfe of a penny Scots.

Item James Rollo at St Ninians Kirk in name of the Laird of Powhouſe Rollo, gave in ane offer of the eight pairt of ane penny Scots.

Item Sir John Areskin of Alva for his interest gave in ane offer of the fourth pairt of a penny Scots.

Item David Forrester of Denovane gave in ane offer of the eight pairt of a penny Scots.

Item William Stirling younger of Herbertshyre for his fathers intereſt, gave in ane offer of the eight pairt of a penny Scots.

Item James Young and James Gillis merchants in Denny, gave in ane offer of the eight pairt of a penny Scots betwixt them.

Item Mr William Leckie of Dashors gave in ane offer of the eight pairt of ane penny Scots for his intereſt.

Item Patrick Muirhead of Rashiehill made offer of the fourth pairt of ane penny Scots.

Item James Guidlat of Abotshaugh made offer of the fourth pairt of a penny Scots.

Item Alexander Mackie Chamberlane of Elphingstoune, made offer of tuo pennies Scots for the Barrony of Elphingstoune and the Lord Elphingstounes offer.

Item Hugh Dallyell merchand in Fallkirk made offer of halfe a penny Scots againſt which the Baillie of Fallkirk protested in respect he had made offer for the heall Regality of Fallkirk, notwithstanding wherof Hugh Dallyell adheared to his offer.

Item Mr William Leckie of Dashors in name of the Laird of Gargunnock, made offer of the eight pairt of a penny Scots.

Item the said Maſter William Leckie in name of the Laird of Boquhane, made offer of the eight pairt of a penny Scots.

Item John Forrest of Threttie aikers, made offer of the sixtein pairt of ane penny Scots.

Item John Glas of Sauchie made offer for himselfe and his tennants of the halfe of a penny Scots.

Item Hendry Huntar of Dadars made offer of the fourth pairt of a penny Scots.

THE same day compeired James Finlaysone Toune Clerk of Stirling and gave in objectiones against the heall offers wherof the tennor followes. OBJECTIONS for the Burgh of Stirling against the meanneſs of the offers made by the unfree traders. IT is preſumed that the designe of communicatione of trade was intended for the advantage of the Nation in generall, and not for the impoveriſeing and ruining of the Royall Burrows, who bear soe great a pairt of the publict burdings of the Kingdome, And it is ridiculous to think that such in a country who for present are actuall traders or designe to be such (being conveniently cituat for caricing on of trade) should have such a priviledge communicat to them for paying such inconsiderable and unworthie moyities as have been hitherto offered, And it can be made appear that some in whose ground there are considerable traders, some wherof both export and import and is in a conditione to pay for himselfe the double of what is offered for the heall ground wherin he lives, yet the said offer bears not the least proportione with the trade in the place. Secundo, If trade be communicat to heretors and their tennants for paying of tuo pennies Scots,

which is but tuenty ſhilling of ceſs p^r moneth And many others who offer but ane fourth, eight, or sixtein pairt theirof, then certainly the Royall Burrows will inevitably be ruined. Yea some offers six pennies ½ p^r moneth, which as the ceſs is now laid on comes only to about fyve ſhilling per annum, To what ane bad and desolate conditione must the Royall Burrows be reduced who are driven to communicate their right of trade for nought, and yet be under the great burdings of ceſs, quarterings and other imergents which the countrie is nowayes exposed to. Tertio, Ther is some conveniently cituat for trade upon the water of Forth and in other pairts of the country, who may easiely (all advantadges being conſidered) out-trade the Burgh of Stirling, And yet what they offer is of noe value nor can bear the least proportione with the trade they may carie on Lykeas their are some gentlemen heretors whoſe yearly rent comes almost the length of the tradeing stock in Stirling, And soe by their money and credit may easiely by themselves without their vaſsals and tennants out-trade the said Burgh and yet offer as inconſiderable a moyitie for the priviledge of their trade as others. Quarto, Ther are severalls who offer for their vaſsalls without haveing commiſsione from them, or being particular whom they include, which is hoped this meeting will not allow. Quinto, The Burgh of Stirling hath but a few exporters and importers, and that in very inconſiderable trade, And yet paying soe great a stent beyde the burding of quartering, watching, wairding, &c. by and attour their paying for their priviledge, if the Shyre ſhould be allowed to trade at the rate they offer, then surely the Burgh would be reduced to ane heap of ashes. Nor can it be imagined that any perſones would be so far demented as to come and receed therin, purchaſe their priviledge at ane dear rate and subject themſelves to the ordinar burdings of the Burgh, Wheras for payment of some few ſhillings or pennies p^r annum, they may have the benefite of trade in convenient pairts and places of the country without being subject to any such burdings as burgeſses are, By all which it is clear and evident, that ſuch as have offered for unfree trade, have offered nothing proportionally either to their preſent or future trade, but that they may have the benefite of trade communicat to them for a triffle and yet the whole burding of ceſs lay upon the Burgh of Stirling as formerly, at leaſt contribute verie litle towards the Burghs releiſe, And therfore the Magistrats of the said Burgh protest against such sham offers, and that they may be heard in dew tyme and place to make appear the fallacie therof, And lykewayes protests for remead of Law, and therupon takes instruments &c. And protests alſoe that all offers hitherto made may be rejected as bearing noe proportione with the trade of the offerers. AGAINST the which Objectiones, the heretors and others offerers abovenamed, protested that since the objectiones given in be the *Toune of* Stirling was only in generall and againſt noe offer in particular And therfore craved that their offers might be admitted of and therupon took instruments ALL which being conſidered be the Commiſsioners conforme to the power given to them by the Act of the Commiſsione of Parliament, they did find that the objectiones of the Burgh of Stirling were only in generall termes against all the offers of the Shyre but did not condescend againſt any particular of the foirsaid offers, neither did they aduce any evidenee of probatione why the saids offers should not be accepted. Therfore the saids Commiſsioners could not give their opinion nor cognosce therupon, and ordered the saids offers, objections and anſwers soe as they are, to be tranſmitted to the Commiſsion of Parliament for settleing the communicatione of trade. And ordains the Clerk to extract the samine and send it in to the Clerk of the said Commiſsione of Parliament Sic ſubscribitur Alex^r Hope I. P. C.

Therafter Archibald Buchanan of Drumakill with conſent of his curators, gave in to the Clerk ane offer of the fourth pairt of ane penny Scots.

Extracted furth of the Books of Supplie by me
H. Christison Cl.]

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[REPORT of the Commiſsioners of the Shire of Wigtoun anent unfree Traders.

AT Stranrawer w^tin the Tolbooth p^rof the tuentie fyft day of Aprill one thouſand & seven hundred yeirs. THE q^lk day conveined of the Commiſsioners for Supplie of the Shire of Wigtoun the perſones after namit viz. Sir Andrew Agnew of Lochnaw Sir Charles Hay of Park the Lairds of Garthland elder & younger, the Lairds of Seuchane Dunragat elder & Fintalloch And having sein & conſiderit ane Act of the Commiſsione of Parliat^t for settling the Communicatione of Trade daitit at Ed^r the tuentie of March laſt bypaſt quherby the ſd Commiſsione of Parliat^t doeth requyre the Commiſsioners for Supplie of the ſ̃all Shires of this Kingdome to meit at the ordinary place of p^r meitting the laſt Thurſday of Aprill inſtant ther to receive & hear what evrie Burgh of Regality & Barony & op^r unfree Traders w^tin p^r reẽive bounds will offer and wndertake to pey of the taxt roll of the Royall Burrous for obtaining the communicatione & freedome of trade conforme to the Act of Parliat^t As alſo to hear what the Burghs Royall ſhall object againſt ſuch offers as the ſd Act more fullie beirs In obedience to the which Act the forſds Commiſsioners haveing met & conveined this day & place as ſaid is and elected & choyſed the Laird of Garthland elder Preces to this meiting And p^refter cauſed publictly call all the Burghs of Regality & Barrony & other unfree Traders w^tin the ſd Shire of Wigtoune viz. the Burgh of Regality & Burgh of Barrony of Glenluce, the Burgh of Barrony of Portpatrick & the Burgh of Barrony of Newtoune Stewart & all other unfrie Traders w^tin the ſd freffdome to compeir this day & place and make their offers conforme to the tenor of the forſd Act of the ſd Commiſsione of Parliat^t for obtaining the freedome of trade As also haveing publictly called the Royall Burghs of Wigtoune Whythorne & Stranrawer to compeir & object againſt the ſame offers to be made by the forſd Burghs of Regality & Barronies & op^r unfrie Traders Accordingly Compeirit Mr Andrew Roſs factor to the Viſcount of Stair & as haveand Commiſsione from the ſd Burgh of Regality & Burgh of Barrony of Glenluce daitit the tuentie tuo of Aprill inſtant made offer & undertooke to pay tuo pennies Scots money yeirlie of the taxt roll of the Royall Burrous for obtaining freedome of trade to the haill unfree Traders & others w^tin the ſd Burgh of Regality & Burgh of Barrony & Parochin of Glenluce And als the ſd Laird of Seuchane as one of the Heretors w^tin the Paroch of Portpatrick for himſelfe & in name of the unfrie Traders w^tin the Burgh of Barony of Portpatrick made offer & undertooke to pay half ane Scots pennie yeirly Lykeas the ſd Laird of Fintalloch as one of the Heretors w^tin the Paroch of Penynghame & in name of the ſd Burgh of Barrony of Newtoune Stewart & Paroch of Penynghame made offer & wndertooke to pay tuo pennies Scots money yeirlie of the ſd taxt roll for the freedome & libertie aforſd and affirmed that the ſd Burgh of Barrony wes not in a conditione to offer more in reſpect the Burgh of Barrony of Moneygaff lay adjacent p^rto and had the moſt pairt of the trade And ficklyke Compeirit James Agnew of Lochnaw & Capt. Andrew Agnew of Croach & for p^mſelves & haill unfree Traders w^tin the Paroches of Inch and Leſwaid made offer & undertooke to pay nyne pennies Scots money yeirlie of the ſd taxt roll of the Royall Burrows for obtaining freedome of trade to p^mſelves and op^r unfree Traders w^tin the ſds Parroches of Inch & Leſwaid: And the forſd Royall Burghs of Wigtoune & Whythorne being oftymes called to the effect forſd they nor none for p^m did not compeir: But Compeirit the ſd Burgh of Stranrawer and declared they had nothing to object againſt the reẽive offers abovesp̃eit made by the pſones abovementionat for the ſd Burgh of Regality & Burgh of Barrony of Glenluce, For the ſd Burgh of Barrony of Portpatrick & the ſd Burgh of Barrony of Newtoune Stewart Q^r wpon the ſds Mr Andrew Roſs in name

of the ſd Burgh of Regality & Barony of Glenluce the ſd Laird of Seuchane for Portpatrick & Fintalloch for Newtoune Stewart tooke inſtruments q^r p^r was no objectione made ag^t the ſds offers: But the ſd Burgh of Stranrawer did object againſt the offer made by the ſds James Agnew & Capt Agnew for the unfree Traders w^in Inch & Leſwaid. Firſt becauſe it wes too lytill: 2do Proteſted that their offer might be w^tout prejudice to the liberties & priviledges of the Burgh of Stranrawer, And laſt the ſds Commiſsioners haveing conſiderit the reſive offers abovewrin they give p^r opinione in maner following to wit that the offers made by Mr Andro Roſs for the Burgh of Regality & Barrony of Glenluce & the offer made by the ſds James Agnew & Capt Agnew for Inch & Leſwaid are reaſonable and the offers made for the Burghs & Barronies of Newtoune Stewart & Portpatrick to be ſcrimp & too lytill. And allowes the ſreff to reporte thir p̃its in the termes of the forſd Act of Commiſsione.

Al. McDouall. James Dalrymple. W^m McDowall.
T. Stewart. S. A. Agnew. Sr C. Hay.]

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[REPORT from the Commiſsioners of Supply of the Shyre of Aberdeen to the Commiſsion of Parlia^t of what wes offered before them be Burghs of Barony & Regality & o^r unfree Traders for the benefite of Communica'n of Trade with the Com^rs opinion anent the ſds offers.

REPORT from the Commiſsioners of Supplie of the Shyre of Aberdeen who did in proſecution of the affair aftermen^t meet and conveen at Aberdeen the tuenty fyfth tuentie ſexth and tuentie ſevent dayes of Aprile, and fyfteent day of May ane thouſand and ſeven hundreth yeirs to the honorable Commiſsioners of Parlia^t for Communica^on of Trade appointed by the tuentieth Act ſevent Seſsion of the current Parlia^t. THE ſaids Commiſsioners of Supply of the Shire of Aberdeen at leaſt a quorum of them having met at Aberdeen the ſaid tuenty fyfth day of Aprile did in the firſt place nominat and elect Sir Samuel Forbes of Foveran to be their Preſes, Theraſter Andrew Fraſer of Kinmundie Shirref Depute of Aberdeen one of their number did produce the Act of the Com^rs of Parlia^t anent unfrie Traders dated the tuentie day of March laſt, wherby the Com^rs of Supply of the ſ̃all Shires are appointed to meet at their ordinary places of meeting this day to receive and hear what every Burgh of Regality Baronie and others unfree Traders within the reſive bounds will offer and undertake to pay of the taxt roll of ane hundreth punds of the Burghs Royall for obtaining the communica^on and freedome of trade conform to the Acts of Parlia^t made theranent, As alſo to hear what the Burghs Royall within their reſive bounds ſhall object ag^t the ſaids offers and to receive and conſider what arguments proba^n and other evidents may be adduced hinc inde for the better ſtating and adjuſting of the ſaid quota; By which Act the Burghs of Regality and Barrony and all others unfree Traders as alſo the ſaids Royall Borrows are peremptorly required to attend the ſaids Com^rs as the ſaid Act more fully bears And the ſaid Shirref Depute declared that he had duly and tymouſly diſperſed copies of the forſaid Act to have been publiſhed at each Paroch Church within this Shyre as is therby ordained, Which Act of the ſaid Committie of Parlia^t being read and conſidered be the ſds Commiſsioners of Supplie conveened for the tyme they declared their reſolution that they would uſe their outmoſt endeavours for promoting ſo good a deſigne, and wold be at all ſuitable paines theranent And for that effect they would keep conſtant and aſsiduous meetings not only this day, but all other dayes till the ſame wes perfected. In order wherunto they cauſed publict proclama^on to be made that all concerned in the ſaid communica^on of trade and had a mynd to offer for the ſame wold compear and do it that their offers might be recorded and that the ſaids offers with the objectiones that ſhould be made ag^t the ſame be the Burgh of Aberdeen might be conſidered be the ſaids Commiſsioners, to the effect they might ſet doun their opinion theranent, and make a report as they are appoynted be the forſaid Act of the Committie of Parlia^t; Lykeas the ſaids Commiſsioners of Supply of Aberdeen Shyre, at leaſt their quorum forſaid, having according to their reſolution keeped meetings at Aberdeen the ſaids tuenty fifth tuentie ſixth, and tuentie ſevent dayes of Aprile, there wes made befor them at ther ſeverall meetings the ſaids dayes the offers particularly after expreſt vi3. IN the firſt place Compeared John Drumond merchant in Fraſerſburgh and after repreſenting that Maſter William Black Advocate had offered to the Commiſsion of Parlia^t one ſhilling ſex pennies Scots for the benefite of the communica^on of trade, and that not being then accepted of The Magiſtrates and Councill of the ſd Tourr having conſidered the outmoſt that they can offer have reſolved and do now make offer of tuo ſhilling Scots money they having the benefite of the Pariſhes contained in their former offer befor the Commiſsion vi3. The Pariſhes of Cremond, Loanmay, Streichen, Rathen, Tyrie, Aberdour, Pitſligo, and Fraſerſburgh, againſt which offer it wes objected That by the Act of Commiſsion of Parlia^t allowing the Com^rs of Supply to hear the Burghs of Barrony, Regalitie and others The ſds Com^rs are appoynted to receive and hear what every Burgh of Regality and Barronie will offer and undertake to pay so that the ſaid John Drumond having no Commiſsion from the forſaid Pariſhes, but only from the Toun of Fraſerſburgh as he acknowledges, he can allennarly offer for the Toun of Fraſerſburgh and none elſe, For if perſones without a Commiſsion be allowed to offer they may offer for perſones who are not deſiring the communica^on of trade or they may offer ſo exorbitantly as to ruine them And it is known how Fraſerſburgh domineared over the ſds Pariſhes formerly and exacted more from them as they have offered and therfor it is craved that the ſaid John Drumond may be obliged to make his offer allennarly for the ſaid Toun of Fraſerſburgh and the Burgh of Aberdeen ſhould make appear that the offer made is far below the trade of the ſaid Town, whoſe trade laſt year extended to ane hundreth and tuentie tuo thouſand punds Scots conform to a particular accompt therof given in be the Burgh of Aberdeen, and which they offered to prove be the Collectors Books, Factors Accompts and the merchants in Fraſerſburgh their oaths, and hereupon they craved a vote of the Commiſsioners As alſo, the Toun of Fraſerſburgh hes three pairts of four of ſhipping as the Toun of Aberdeen hes, The ſd John Drumond anſwered that theſe Pariſhes were joyned to the Toun of Fraſerſburgh in a former Act of the Commiſsion of Parlia^t, and the offer made to the ſaid Commiſsion itſelfe wes expreſſie in the termes of the offer now made, and he craved that the offer as offerred with the Commiſsioners opinion may be reported to the Commiſsion of Parlia^t as it ſtands, in reſpect the ſaid John Drumonds Commiſsion is only in the termes aforſaid; Wherupon the ſaids Com^rs taking the forſaid debate to their ſerious conſidera^on and finding that John Drumond neither produced nor alleadged to have any manner of Commiſsion from the inhabitants or traders within the ſaids Pariſhes of Cremond; Loanmay, Streichen, Rathen, Tyrie, Aberdour, Pitſligo, and Fraſerſburgh, and conceiving that the making offers in the names of perſones, or Pariſhes wher ther is no Commiſsion nor any communica^on of trade craved, may be of dangerous conſequence, and withall being informed that the Toun of Fraſerſburgh did at the former occaſion extravagantly exact in theſe Pariſhes not only from traders but from mechanickes and tradſmen, who had no trading in merchant commodities, they put it to a vote Whither or not ane offer ſhall be received from any perſon in the name of Toun, Pariſh, or Perſon from whom the offerer hes not a Commiſsion and the ſame being fairly voted, It wes carried in the negative, that no ſuch offer ſhould be received or reſpected IN lykemaner compeared John Thomsone merchant in Peterhead and as having Commiſsion *from* that Toun made offer of ſex pennies Scots of the taxt roll for the benefite of com-

munica°n of trade to the ſamen It being notourly known that they have litle or no foraigne trade but only the retaill of what merchant goods they buy in Burghs Royall, but withall offered that if the Committee of Parliat would allow them releife as formerlie from the Pariſhes of New-deer, Old-deer, Longſide, St Fergus and Peſhead they would pay tuelfe pennies Scots of the ſd taxt roll, and declared that he in name of the ſd Toun of Peterhead wes content to be lyable to any of theſe offers which ſhould be allowed and no more, Againſt which offer made in name of the Toun of Peterhead it wes objected be the Burgh of Aberdeen that the ſame cannot be received as being very far under the value of their trade, it being notourly known that they have a conſiderable ſhipping of their oun, and a reſort of ſtrangers therto with all manner of goods, ſuch as wine, ſalt and brandie, And they have likewiſe a great trade to Norway and elſewhere, which is offerred to be proven be the burgers and ſkippers oaths, cuſtomers and factors bookes; So that at leaſt they might have offered tuo ſhilling for the Toun of Peterhead without any Pariſh, To which it wes anſwred be the ſaid John Thomſone merchant in Peſhead and who made offer for that Toun, that the objection is very calumnious for it wes well known to the Burgh of Aberdeen and all others, that they have no foraigne trade unleſs it be a small barks loadning of timber they bring from Norway once a year, And as to the ſhipping it is well known, and no perſon can alleadge or prove that ther is any ſhips belongs to that Toun except one, and even the halfe of the ſame belongs to merchants in Monroſe, and ther is no ſtrangers reſorts ther with any of the ãment commodities which are ſold bought or vended in the Toun, so that the Toun of Peterhead hes offered the outmoſt they can pay either with or without the help of the forſaid Pariſhes LYKEWAYES compeared Mr John Robertſone one of the Baillies of Old Aberdeen and produced a Commiſsion dated the tuentie tuo day of Aprile inſtant granted to him be the Baillies and Councill of the City of Old Aberdeen for compearing befor the Comrs of Supplie at this tyme and making offer in favors of the ſaid citie for their communica°n of trade, which Commiſsion being publictlie read, the ſd Mr John Robertſone made offer of tuelfe pennies Scots of the taxt roll for the ſaid Toun of Old Aberdeen and freedome therof including the whole inhabitants and wes content to bear burden accordingly, declaring the freedome to be from the Key ſtone at John Setons houſe in the Spithill to Thomas Caſsies houſe in the head of the Seaton in the north end of the Old Toun, and proteſted that this may be reported to the Commiſsion of Parliat, and that he might have ane extract therof; Lykeas it wes objected agt the ſame be the Burgh of Aberdeen, that the offer is far under the value of their trade, eſpeallie conſidering that they live within a myle of the Burgh of Aberdeen, and have intereſt in the ſhipping therof and have a vaſt trade of ſtockings fingring and plaiding and intercepts the moſt pairt of theſe goods when coming to the ſaid Burgh of Aberdeen, and import and export all ſtaple commodities; And to evidence how mean the offer made is, it is offered to be proven that James Knight, Alexr Molliefone, and other merchants living in Old Aberdeen have paid each of them more taxa°n to the Burgh of Aberdeen yearly than the offer extends to, And it is offered to be proven that ther is more than thretty trading merts in Old Aberdeen, who have a conſiderable foraigne and inland trade, the veritie of the which objection is offered to be proven by the Cuſtome-houſe and factors bookes and their own recepts of taxa°n and oaths of verity, As to which objection made be the Burgh of Aberdeen agt the offer maid be the Old Toun, It wes replyed be the ſaid Mr John Robertſone that the haill inhabitants within the Toun of Old Aberdeen (except ſex or ſeven) are reduced to ſuch ſtraits, as can be maid appear, that both they and their families do live upon charity, and theſe ſex or ſeven neither does nor ever did trade to foraigne places, except one who is a Burger of Aberdeen, and is moſt ſeverely taxed by the ſaid Toun yearly far beyond his trade, And q'as it is ſaid that the merchants in Old Aberdeen have ſhares in ſhips, It is offered to be proven that ther is no merchant in Old Aberdeen hes any right or ſhare in any ſhip except James Knight, who hes only a tuelft pairt of Skipper Scots Bark, so that the Toun of Aberdeen their objection agt the offer made by Old Aberdeen is moſt calumnious tending only to the ruine of the place, therfore it wes deſired that the former offer of the Toun of Old Aberdeen with the objection and this reply made therto may be recorded and reported to the Commiſsion of Parliat or their Clerk tymouſlie, And that the ſaid Mr John as Commiſsioner forſd may have ane extract therof, To which it wes anſwred be the Burgh of Aberdeen that the forſaid reply is very calumnious; For if Mr John Roſone ingiver therof will condeſcend upon the ſex or ſeven merchants who he alleadges are the only traders ther, the Burgh of Aberdeen will condeſcend upon twice alſ many who have alſ great a trade, And ſince it is offered to be proven that James Knight, & Alexr Moliſone being taxt as Burgers of Aberdeen, each of them have paid more than the offer made for Old Aberdeen, It is evident that the ſaid offer is a mear ſham, and very far below the extent of their trade, and farder it is well known to Mr Roſone that ther are no merchants in the Old Toun taxt but after the ſame maner the merts in Abd are taxt, that is conform to the accompt of their oun upgiving, or aproba°n in caſe of ſhort upgiving AND ficklyke compeared Thomas Simpſone mert in Old Meldrum and made offer in name of the Toun & Pariſh of Old Meldrum of four pennies Scots of the taxt roll for the communica°n of trade to the inhabitants of the ſaid bounds, agt which offer the Burgh of Aberdeen objected that the ſame wes far below the value of the trade of Old Meldrum, for it is known that they have a conſiderable trade of plaiding fingring ſtockines &c. export and import, and Alexr Forbes or Thomas Simpſone mert ther and others payes more taxa°n yearly than the forſaid offer will amount to, which is offered to be proven ut ſupra Wherto it wes anſred be the ſd Thomas Simpſone that the objection is groundleſs, It being known that Old Meldrum is ane inconſiderable countrey villadge tuelfe myles at leaſt from any ſea port the inhabitants poor and hes neither export nor import nor any other trade except the buying of ſome few of the native commodities of the countrey which they ſell to the merchants of the Burgh of Aberdeen, And farder it wes objected and offered be the Burgh of Abd that they having made ſo relevant and true objectiones agt the offers made for Fraſerſburgh, Peſhead Old Abd and Old Meldrum, and being able to inſtruct the ſame they craved that the Comrs of Supply might allow them a competent tyme for proving therof and grant them diligence for that effect, ſeing it cannot be preſumed that they could have proba°n or evidence preſent at this tyme to redargue the forſaid ſham offers befor they knew what was offered And craved that their objectiones may be reported to the Commiſsion of Parliat with the Comrs of Supplie ther opinion theranent AND in lykemanner compeared Mr Alexr Thomſone Advocate in Aberdeen and made offer for Patrick Count Leſlie Heretor of the Toun of Inſh for the ſaid Toun and his other lands in the Pariſhes of Inſh, Logidurno and Inverurie of a pennie Scots of the taxt roll for the communica°n of trade to the ſaid Count his intereſt ãſpẽit And lykwiſe compeared Sir Samuel Forbes of Foveran and made offer in name of the Toun of Roſeharty and my Lord Pitſligo his intereſt in the Pariſhes of Pitſligo and Tyrie of ane pennie Scots of the taxt roll for the communica°n of trade to the inhabitants of the bounds forſaid, Lykeas the ſaid Sir Samuel Forbes made offer for the communica°n of trade to the Toun of Newmode and the reſt of his own lands in the Pariſhes of Udny and Foveran of ane penny Scots of the taxt roll As alſo compeared Pat. Cattanach ſervitor to the Laird of Udny and maid offer in name of the Toun of Newburgh and the reſt of the Laird of Udny his intereſt in the Pariſhes of Foveran and Udny of one penny Scots of the taxt roll for the communica'n of trade to the inhabitants of the lands forſaid. THE ſaids Commiſsoners of Supply having attended and keeped meitings the forſaids tuentie fyfth tuentie ſext and tuentie ſevent dayes of

Aprile, and finding upon the ſaid tuenty ſevent day that none except theſe above named compeared nor made any farther offer for the ſaid communicaᵒn of trade, Yet to the effect no Brugh of Regality, Barrony or other unfree Trader not as yet compearing, might be prejudged be their negligence in not compearing at this tyme but might have a furder occaſion and dyet for making ſuch offers as they ſhould think meit the ſds Comrs of Supply adjorned themſelves and the preſent meeting to this place the fyfteent day of May nixt. AT and upon the ſd fyfteent day of May 1m vijc yeirs forſaid the ſds Comrs of Supplie at leaſt a quorum of them being met and conveened at Aberdeen in order to the proſecuting of what remained to be done be them in the ſaid affair, they continued the ſd Sir Samuel Forbes to be their Preſes, and therafter cauſed make publict proclamaᵒn that any who had a furder mynd to make offers for a free communicaᵒn of trade that they wold compear and do the ſame, WHERUPON compeared Thomas Forbes Advocate in Aberdeen and produced a warrand and commiſsion from James Moir of Stonywood proprietar of the lands of Spithill in the Pariſh of Old Machar lying betuixt the Burgh of Aberdeen and the Toun of Old Aberdeen, or the Colledge bounds, to the effect aftermenᵗ, and offered for the ſaid James Moir his lands of Spithill and for his other lands in the Pariſhes of Old Machar and Newhills including Scotſtoun in the ſaid Pariſh the ſum of tuo pennies Scots of the taxt roll of the Royall Borrows for communicaᵒn of trade to the inhabitants of his ſds lands, which he declared he did for preventing their being joyned to the Old Toun of Aberdeen, or under their juriſdiction within whoſe freedome or community they never were, and albeit he made the ſaid offer he declared ther neither wes at preſent nor ever befor any merchant reſiding upon the ſaids lands that traded or dealt in merchandiſing, LIKEAS the ſd Thomas Forbes as having commiſsion from the Laird of Monymuſk made offer of ane penny Scots of the taxt roll for a communicaᵒn of trade to the inhabitants of the Kirktoun of Monymuſk and others his lands within the Shyre of Aberdeen, agᵗ which it wes objected be the Burgh of Aberdeen, that the ſaid offer ought to be rejected as too mean and low becauſe þr are tuo trading merrs in Monymuſk who are Burgers of Abd, each of whom payes yearly more taxaᵒn to the Burgh of Abd then what is offered by Monymuſk, To which it wes replyed be the ſaid Thomas Forbes in name of Monymuſk that the alleadgeance is moſt calumnious, ther being no ſuch merrs at the tyme living in Monymuſk that are paying any maner of taxaᵒn to the Burgh of Abd, And it is well known to the Magiſtrats of Aberdeen that any of þr Burgers who formerly lived at Monymuſk and paid þm taxaᵒn are now quyte ruined and broke, be reaſone the place affords them no convenience of trading and therupon craved the Magiſtrats preſent their oaths of calumnie if they ſhould inſiſt any farder on the objection AND ſicklyke compeared George Keith of Clacria in name of Mr James Elphinſton of Logie and offered one penny Scots of the taxt roll for a communicaᵒn of trade to the inhabitants of his lands in the Pariſhes of Rain and Logidurno As alſo the ſaid George Keith in name of Mr Rot Forbes of Learny Advocate offered one penny Scots for the taxt roll for a communicaᵒn of trade to the inhabitants of the ſaid Mr Robert Forbes his lands in the Pariſh of Kincardeen, AND alſo the ſd George Keith in name of the Lady Gight offered one penny Scots of the taxt roll for a communicaᵒn of trade to the inhabitants of the lands of Fetterletter and her other lands within þe Pariſh of Fyvie AND in lykemanner compeared George Paton of Grandhome and made offer of one penny Scots of the taxt roll for ane communicaᵒn of trade to the inhabitants of his lands of Grandhome and the other inhabitants of his lands in Old Machar Pariſh THERAFTER Thomas Simpſone in Old Meldrum having renewed the offer made be the ſd Toun & Pariſh upon the tuenty ſext of Apryle laſt of four pennies Scots of the taxt roll for their freedome of trade The Burgh of Aberdeen repeated their former objectiones made agᵗ the ſaid offer, And farder added that Joⁿ Simpſone merᵗ & reſidenter in Old Meldrum is preſentlie in Holland with a conſiderable quantitie of exported commodities and that the ſd Joⁿ Simſon hes alſo returned and imported ſcall foraigne commodities in Peter Forbes ſhip lately come from Holland which they offer to prove be the ſaid Thomas Simpſone offerer his oath, qᵒ being pñt acknowledged the ſaid objection to be of verity, To qᵘʰ objecᵒn made agᵗ the Toun of Old Meldrum, It wes therafter anſred for the ſaid Toun that the ſaid John Simpſon is a Burger of the Burgh of Aberdeen, and reſides therin and any ſmall parcell of goods, which he hath are brought to the Port of Aberdeen and ſold and vended within the Burgh AFTER all which the Comrs conſidering they had for receiving of offers from all who might judge themſelves concerned to have freedome and communicaᵒn of trade keeped conſtant and aſsiduous meetings at this place upon the tuenty fyfth tuentie ſexth and tuenty ſevent dayes of Aprile laſt, and to the effect that none who might have any inclinaᵒn to concern themſelves in that buſsines of trade might be taken tardie, nor prejudged through their not compearance at theſe dyets the Comrs had adjourned themſelves to the ſaid fyfteent day of May, that all who were not clear the tyme of the former meitings might agᵗ this have their full reſoluᵒnes, And finding that after proclamaᵒn made that all concerned wold compear there did none compear nor offer but theſe who are abovexpreſt The Commiſsioners judged it convenient for them to proceed to the conſideraᵒn of the offers alreadie made, that they might make a report of their opinion theranent, In order whervnto they cauſed their clerk read over ſeparately and by itſelfe each of theſe ſeverall offers with the objectiones, replyes, and duplyes relating to each particular of them, and at great length having ſeperatlie conſidered each of theſe offers and objectiones and fully heard the pairties concerned theranent, As alſo having reaſoned and conſulted the ſame among themſelfes they did and hereby do give their opinion as follows viz. As to the offer made by the Toun of Fraſerſburgh, the Comrs judges and gives their opinion that ther ought no regard to be had therto in reſpect theſe compearing for the Toun of Fraſerſburgh do confeſs that they have no Commiſsion from the landward Pariſhes mentioned in the offer nor any mandat from them to crave communicaᵒn of trade for them And albeit the Toun of Fraſerſburgh ſhould reſtrict their offer of tuo ſhilling Scots for their oun trade allennarly without ſeeking releife of the Pariſhes the Comrs even in that caſe do judge the ſaid offer to be very far below what the ſaid Toun of Fraſerſburgh might and ſhould pay for ſo great a trade as they manadge And as to the offer made be the Toun of Old Aberdeen of tuelfe pennies Scots for the inhabitants of the ſaid Toun and alleadged freedome including from the Key ſtone to Thomas Caſsies houſe the Commiſsioners does not find that the Toun of Old Aberdeen hes any priviledge or juriſdiction over the Spithill pertaining to James Moir of Stonywood and for which he hes made offer and withall the Commiſsioners judges that the offer of tuelfe pennies Scots is too mean and very far below the extent of their trade albeit they ſhould reſtrict it to the inhabitants of Old Aberdeen allennarly And as to the offer made by Old Meldrum the Commiſsioners alſo judges the ſamen to be far under what the ſaid Toun of Old Meldrum ought to pay according to the true value and extent of their trade As to the offer made by the Toun of Peterhead of ſex pennies Scots which they condeſcend to undertake to pay of the tax roll without the reliefe of any Pariſhes the Commiſsioners judges the ſaid offer to be reaſonable and ſufficient according to the preſent trade of the ſaid Toun of Peterhead, but withall they declair that the Toun of Peterhead having a good and convenient harbour their trade having a free communicaᵒn may come hereafter to be greater, in which caſe and when the ſame occurs the publict burdens may be augmented The Commiſsioners approves of all and each of the offers made in name of Count Leſlie for the Toun of Inſh and his other lands, and of that made be Sir Samuel Forbes for the Toun of Roſeharty and my Lord Pitſligos intereſt, and of that made be the ſaid Sir Samuel Forbes for his Toun of

Newmode and his other lands, As alſo of the offer made be Patrick Cattanach for the Toun of the Newburgh and the Laird of Udnies other lands and of the offer made be James Moir of Stonywood for his lands of Spithill and his other lands and of the offer made in name of Monymuſk for his lands, and of the offer made for Mr James Elphinſtone and his lands, As alſo of the offer made for Mr Robert Forbes and his lands, and of the offer made be the Lady Gight for the Toun of Fetterletter and her other lands, and of the offer made be George Paton of Grandhome for his lands; All which offers made be the forenamed perſones in manner above written the Commiſsioners judges to be reaſonable and ſufficient for a communica'n of trade to the inhabitants of the land therin mentioned This the Comrs gives as their true and deliberate opinion as to the forementioned offers and ordaines ane report conform therto to be extended be George Paton of Grandhome their Clerk and ſigned be him, and extracts therof delivered to all concerned, particularly one to the Magiſtrats of Aberdeen, who undertakes to deliver the ſame to the Clerks of the Commiſsion of Parliat agt the tyme mentioned in the Act made theranent. The above is a true report of what wes done be the ſaids Comrs of Supplie of Aberdeenſhyre at leaſt ane quorum of them at their ſeverall meetings the dayes above mentioned, faithfully extracted at their order and warrand from the records of their meetings be me the ſaid George Patone of Grandhome their clerk.

Geo. Paton.]

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[OFFERS for ſome Burghs of Barony in the ſtreffdom of Bervick for a Communicaone of Trade wt the objections and anſrs therto.

ÆT Greinlaw the tuenty day of May ane thouſand ſeven hundred. THE whilk day the Commiſſioners of Supply in Bervickſhyre being met in purſewance of the Act of the Commiſſione of Parliament for ſetleing the Communicatione of Trade dated the tuenty day of March 1700 compeared William Smith and George Lauder Baillies of Lauder as repreſenting the ſd Burgh Royall as alſo Mr John Dallas Baillie of Dunse, James Winram Stef Clerk, and John Crawfurd Nottar in Dunse and gave in the offers of ſome of the Burghs of Barony underwrin viz. The ſd Mr John Dallas Baillie of Duns and for the Laird of Drummyler his Baronie of Dunse and Crumſtain offered ane ſhilling Scots of the taxt roll, James Winram for the Toun of Eymouth offered 2d For the Toune of Caldſtream ane pennie The Toun of Langtoune and Barony therof The Toun of Suintoune and Barony therof The Toun of Fogo and Pairochin therof The Toun of Symprin The Toun of Melleſtain and Barony therof including Jervifwood pairt therof and his pairt of Fauns each of ym the fourth part of ane penny. John Craufurd offered for the Toune of Coldinghame the fourth pairt of ane pennie Againſt which offers the Burgh of Lauder objected primo That the perſons offering wer not clad wt ſufficient mandats 2o That the Toun of Dunſs, Eymouth and Caldſtream or aither of them are grater than the offer made be them 3o That the Shyre of Bervick by the former Commiſſione of Parliament being ſtenting to fyve ſhilling Scots for the releif of the Burgh of Lauder the ſame quota ought to ſtand and no offer made therto aught to be receaved Follous the anſueirs To the firſt it was not the entereſt of yt Burgh Royall to object agt the the Commiſſione of thoſe yt offered, for if any Burgh of Baronie refuſed to pay the quota then they loſt the benefit of communicatione of trade To the second the Burghs of Baronies finds the ſamyn relivant of conſent and the Burgh of Lauder offering to prove that objectione by the traders oaths the Burghs of Baronie agrie therto To the third That eſtimat and quota layd upon ye Shyre was done to make up the defects of Mr John Buchans contract which is now expyred and cannot be drawen in conſequence nor can it have any force here where a new offer is apoynted to be made.

THE abovewrin offers and objections are atteſted be Mr Alexr Cokburne Clerk of Supply in Bervickshyre to be trew conform to ye Minuts of Sederunt. Alexr Cokburn Cls.]

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[REPORT of the Commiſsioners of Supplie of Elgin and Forres to the Commiſsion of Parliament for Communication of Trade.

AT Forres the twentie two day of May one thouſand and seaven hundred yeires That day conveened the Commiſsioners of Aſſeſment of the Sheriffdome of Elgin and Forres after named they are to ſay Alexander Dunbar of Weſtfeild Sheriff of the ſaid Sheriffdome Conveener Alexander Cuming of Altyre Robert Dunbar of Grangehill Ludovick Dunbar of Grange Joseph Brodie of Milnetoun Thomas Tulloh of Tannachies William Brodie of Coltfeild Thomas Dunbar of Eaſterbinn annent the makeing of the Report underwriten to the Commiſsioners of Parliament appointed for regulateing the Communicaone of Trade and offers to be made for the benefite thereof so far as concerns the ſaid Sheriffdome and Burghs of Barronie within the same And after the reading of the late Proclamatione emitted annent the communicaone of trade and conſidering the sammen they did find that in obedience to the ſaid Proclamatione some few of ther number met at Elgin upon the last Thurſday of Aprile laſt bypaſt and that the few met then not being a quorum (the Clerk haveing attended till the afternoon that day) the Commiſsioners then met in the afternoon made uſe of the Town Clerk and haveing called all perſones concerned to make offer conforme to the Proclamatione and object, &c. And that none compeared for that effect therefore they declined to make any report or proceed further untill a full meeting of the Commiſsioners In order whereunto the ſaid Sheriff haveing appointed this meeting for makeing the ſaid report and made due intimaone thereof be his Clerk to the Proveſt of Elgin and called alſo the Proveſt of Forres this day to hear ſee and object if any reaſone they hade in the ſaid matter And haveing called them publictlie, As alſo the Burghs of Barronie of Fochabers, Garmouth, and Findhorne And likwiſe all and sundrie the unfree Traders within the repective Paroches in the Shire, to make offer for communica'ne of trade with the Royall Burghs Compeared only George Geddes for the Burgh of Barronie of Findhorne and renewed the same offer formerlie made of sex pennies Scots money in behalfe of Findhorne to the Commiſsioners of Parliament at Edenburgh conform to a former Proclamaone which lyes as yet on ther table before them And seeing none compeared to object againſt the ſaid offer the Commiſsioners are of opinione that the ſaid offer is reaſonable and higher then they expected, Whereupon the ſaid George Geddes took inſtruments and proteſted that incaice the Commiſsioners of Parliament accept not the ſaid offer formerly made at Edenburgh and now renewed as ſd is that the ſaid Town of Findhorne and Inhabitants thereof may be free from all communicatione of trade since Lambes Im vjc ninetie eight yeares and in all time comeing.

The Commiſsioners of this Shire doe humblie presume to repreſent to the Commiſsion of Parliament that the landward Paroches of the Shire alſo weill as the Burghs of Barronie within the same have been of late moſt unaccomptablie stented at random be Mr John Buchan and his ſubſtitutes, And quartered upon and forced to pay exorbitant sums wtout hearing of parties Therefore it is earneſtlie intreated that all poſsible care may be taken to prevent the like in time to come.

THIS pnt Report is the opinione of the Commiſsioners above named and at ther deſire signed by Al. Dunbar Preses.
And: Munro Cls.]

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[OFFER for the unfrie Traders of Orkney.

TO the Right Honourable My Lord High Chancellour and remnant Lords and others of the Commiſsion of Parliament appoynted for setleing the Communication of Trade.

Hendry Grahame of Beckneſs for himſelf and in name and behalf of the haill unfrie tradders with the Iſlands and Parochines of Orkney for to incurradge and ingadge them to trade ther being few or noe tradders amongſt them as yet makes offer for the benefite of trade to be communicat to them by your Löps the ſoume of two ſhilling Scots which is the quota impoſed upon them for the bygone yeirs and is the greateſt proportion they are able to bear of ye taxt roll of ye Royall Burrowes to be payed monethly.

Ha: Grahame.]

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[PETITION for the inhabitants of ye Landward pairt of ye Paroch of Haddingtoun.

UNTO the Right Honourable the Lord High Chancellor and remnent Lords and others of the Commiſsion of Parliat appoynted for regulating the unfrie trade within the Kingdome,

The Petition of the Inhabitants of ye Landwarde Paroch of Haddingtoun.

Sheweth,

THAT where your Löps by your Dect appoynted the Touns of Trannent Preſtounpanns and Aberlady to pay the proportion of the Burrows tax roll mentioned in the ſaid dect dureing the ſyve years of Mr John Buchans tack as ther pairt of ye ten pound laid upon the Burghs of Regality and Barrony & vpr onfrie traders and reſerved to them their releif from the other unfrie traders within the Shyre of Hadingtonne as the ſame ſhould be divided by a Committy of the Commiſſioun therin mentioned And accordingly the ſaid Committy haveing proportioned the ſaid releif they have laid 200 lib Scots therof upon us the inhabitants of ye ſd Landward Paroch of Hadingtoun and we have bein of a long tyme quartered upon for payt yrof.

As to which we doe humbly repreſent that we being only a pairt of ye Landward Parochine of Hadingtoun which is a Royall Burgh it is not to be preſumed that we can have any trade nor de facto is ther any tradders in the ſaid Paroch except thoſe who live within the ſaid Burgh of Hadingtoun ſo that it is a very great hardſhip to obleidge us to pay the forſaid ſowme 2° If we were to pay the ſame we know not by what rule or order to lay it on ſeing ther is not one perſone who ſells ſo much as ane unce of tobacco in the Landward pairt of the ſd Paroch and ther being noe frie tradders the ſame moſt be laid on either on the valued rent or ſome other way as your Löps ſhall direct And ſeing we have lyen long under quartering the expenſe qrof exceids the quota laid upon us and that we know not how to extricat ourſelves out of this difficulty.

May it therfor pleaſe your Löps to exeme us the ſaid Landward pt of the Paroch of Hadingtoun of the ſaid quota ſo wrongouſly laid upon us and to diſcharge any quartering for ye ſame at leaſt to authorize the heretors of ye ſd Paroch or any others your Löps ſhall think fit to meit and proportion the ſaid quota laid upon us in the beſt manner they ſhall think fit And your Petitioners ſhall ever pray.]

[IN the Commiſsione of Trade, July 9, 1701.

SEDERUNT.

The Lord Chancellour.	Sr Ard Muir.
The M. of Annandaill.	Sr Ja Smallot.
The Lord Boyll.	Jon Anderſon of Dowhill.
Sr Ja. Scougall.	Wm Meinzies mert.
Lord Whythill.	

THE E: of Mar, Lo, Boyll Lo, Whythill Sr Jon Swintoun Sr Rot Stewart the Provoſt of Edr Sr Ard Muir Sr Ja: Smallot Dowhill & Baillie Meinzes or any three of them to conſider the Reports from the ſeverall Shyres wt the objections made by the Royall Burrowes agt the ſame and what they think may be a fit quota to be layed upon the ſeverall onfrie traders The firſt meeting to be on Saturday morning at 8 a clock in the Councill Chamber and from thence to adjurne.

THE Commiſsion adjurnes till nixt Wedinsday at 3 afternoon.

IN the Commiſsion for Trade, July 16, 1701.

SEDERUNT.

The Lo, Chancellour.	The Lord Advocat.
The M: of Annandaill.	Sr James Smallot.
The E: of Mar.	Jon Anderſon of Dowhill.
The E: of Loudoun.	Sr Ard Muir.
Lord Boyll.	

THE Commiſsione names the Committie formerlie appoynted & adds therto the M: of Annandaill & E: of Loudoun to conſider what may be a fit quota to be layed on the ſeall Burghs of Regalitie & Barronies w'in the Kingdom with reſpect to ſix pound of the taxt roll to be devyded among ym and alſe to make ane oyr eſtimate of the quotas pt the moſt trading places may pay of the ſd taxt roll without reſpect to the ſaid ſix pound and appoynts the Committie to meet to morrow at ten a clock the forenoon and from thence to adjurne ymſelves and to report agt the nixt Sederunt.

THE Commiſsione adjurnes till nixt Wedinſday at 3 afternoon.

IN the Committy for Trade, July 17, 1701.

SEDERUNT.

E, Mar.	Sr Ard Muir.
Lo, Boyll.	Anderſon of Dowhill.
Sr Rot Stewart.	Baillie Menzies.
Sr James Smallot.	

Earle Mar choſen Preſes.

THE Committie thinks it expedient that the parlar quotas formerly payed by the unfrie Tradders be excerpted out of the Records with ane Liſt to be ſubjoyned of the ſeaverall places that were given for ther releif as alſo that theſe quotas be caſtine & divided according to the proportion of ſyve ſix or ſeaven pund Scots in the tax roll and remits the doeing therof to the Proveiſt of Glaſgow and Baillie Menzies and that they report ther ſentement to the Committy at ther nixt meitting.

THE Committie adjurns till to morrow at nyne a clock.

MAR. P.

IN the Commiſsion for Trade, July 23, 1701.

SEDERUNT.

My Lord Chancellour.	Sr Ja: Smallot.
The M: of Annandaill.	Dowhill.
The Lord Boyll.	Baillie Meinzies.
Sr Archbald Muir.	

Baillie Meinzes produced a Liſt of the quotas to be layed on the Burghs of Regalitie & Baronies qch was remitted to them to draw up by the Committy bot the ſame hes not yet bein under the Committies conſideratione The Commiſsione remits to the Committie to conſider the Liſt now offered & bring in a report of ther opinion ꝓranent agt their nixt Sederunt.

ADJURNES till Wedinſday nixt at thrie afternoon.

IN the Commity of Trade, Auguſt 7, 1701.

SEDERUNT.

E, Loudoun.	Sr Ard Muir.
E, Mar.	My Lord Whythill.
Sr James Smallot.	The Proveſt of Edr.
Sr Rot Stewart.	Wm Meinzies.

E, of Mar Preſes.

PETITION for the inhabitants of Old Aberdein craveing the Commiſsion to accept of 18 pennies for ꝑr communicacon of trade the Committie aggries ꝑt the ſd place pay tuo ſhilt for ꝑr trade.

. . . . . .

[UNTO the Right Honorable the Lords of the Committee appointed for bringing in the Scheme of the unfree tradders ꝑr proportions of the Taxt Roll for the releif of the Royall Burrowes,

The Petition of Maſter Alexr Frazer William Baxter and James Knight Bailzies of Old Aberdeen for themſelves and in name of the Councill and Communitie of the ſd Burgh.

Humbly Sheweth,

THAT where your petitioners being informed that your Lops have thought fitt that the haill unfree tradders within this Kingdome ſhould pay five pound ſeven ſhilling nine pennies of the ſtent roll, and have proportioned the ſame among the ſeall Burghs of Barrony and Regallity of whom the Burgh of Old Aberdeen being one, your Lops inclined to put three ſhilling Scots upon the ſaid Burgh for our communication of trade, But that the ſd ſchem is not yet approven, ſo that we beg leave to repreſent to your Lops that our ſd Burgh of Old Abd is ſo impoveriſhed what by quartering and opr publick calamaties that we cannot ſupport wt the burden of the ſd three ſhilling in the taxt roll, ſince ꝑr are feu or no tradeing merchants amongſt ws & ſuch as are have their freedom of the Neutoun of Abd and payes ſcot and lot ꝑr. For the poor Toun of Old Abdn hes no harbour nor no manner of trade, only ſome ſmall commodities we retaill which is brought from the Newtoun of Abdn and whoſe Burgers have the only advantage by it, being the importers of all ſort of goods in which the inhabitants of the Old Toun have no part and conſequently no profit, all which is very weell known to ſome of your Lops own number, and wee haveing formerly made ane offer of twelve pennies Scots of the taxt roll for our communication before the Commiſsioners of Supplie as ane extract of the offer herewt produced will teſtify which is all wee can conveniently ſupport with, yet we are content to take ſix pennies more making in haill eighteen which is all that in reaſone can be demanded of ws or without the ruin of our Burgh, can be undertaken be ws.

May it therefor pleaſe your Lops to reconſider the forſd ſcheme and put only eighteen pennies upon us as our proportion of the taxt roll for our communication of trade & burden opr Burghs with the opr eighteen pennies who are more able to ſupport the ſame According to Juſtice and your Petitioners ſhall ever pray.]

. . . . . .

THE Committie are of opinion ꝑt the Brugh of Alloway is to pay eightein penies for ꝑr trade.

Sr Jon Shaw offerred for the Barronies of Carnock & Plane one pennie Scots for ꝑr trade qch was agried to.

Sr Jon Shaw alſo offered for the Toun of Grinock fyve ſhilt Scots for ꝑr trade qch was aggreid to.

PETITIONE for the Toun of Fraſersbrugh offering tuo ſhilt ſix pennies for ꝑr trade read and the Committie modifie four ſhilt for ꝑr trade.

. . . . . .

[TO the Right Honorable the Commiſsione of Parliaf for regulating the Communication of Trade,

The Petition of the Toun of Frazerſburgh.

Humbly Sheweth,

THAT wher we are informed that the Committie have impoſed vpon us fyve ſhilling Scots of the ſtent roll for our being allowed the benefit of trad qch is ſo heavie that we are not able to bear it We therfor tak leave to repreſent to your Lo, that when we payed a proportione of ten pund we wer only ſtented to four ſhilling Scots & had releif from ſevin pariochs & now when the quota is but fyve punds or therby it is very ſever to mak us fyve ſhilling We formerly offered two ſhilling Scots & now we are content to give two ſhillings ſix pennies qch truly is mor then we are able to bear for our Toun is both depauperat by thir bad years & depopulat & our ſhipping is quyt lost.

It is therfore humbly craved that your Lo, will tak our caſe to your conſideratione & regulat the quota ſo far as we are able to pay And your Petitioners ſhall every pray.]

. . . . . .

Sr Jon Shaw offerred in name of Sr John Houſtoun of ꝑt Ilk one pennie Scots for the trade of his lands lyeing in the Shyre of Ranfrew qch was aggreid to.

THE Committie appoynts the Liſt of the Sub Committie to be rectified conforme to the above parlars and tranſmitts the ſame to the conſideratione of the Commiſsione agt ꝑr firſt Sederunt.

MAR P.]

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